

CITY OF SANTA BARBARA CITY COUNCIL

Helene Schneider
Mayor
Frank Hotchkiss
Mayor Pro Tempore
Grant House
Ordinance Committee Chair
Dale Francisco
Finance Committee Chair
Cathy Murillo
Randy Rowse
Bendy White



James L. Armstrong
City Administrator

Stephen P. Wiley
City Attorney

City Hall
735 Anacapa Street
<http://www.SantaBarbaraCA.gov>

JULY 17, 2012 AGENDA

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council meeting begins at 2:00 p.m. in the Council Chamber at City Hall.

REPORTS: Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and <http://www.SantaBarbaraCA.gov>. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (<http://www.SantaBarbaraCA.gov>). Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

PUBLIC COMMENT: At the beginning of the 2:00 p.m. session of each regular City Council meeting, and at the beginning of each special City Council meeting, any member of the public may address the City Council concerning any item not on the Council's agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the City Council. Should City Council business continue into the evening session of a regular City Council meeting at 6:00 p.m., the City Council will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute. The City Council, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

REQUEST TO SPEAK: A member of the public may address the Finance or Ordinance Committee or City Council regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or City Council.

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the City Council. A Consent Calendar item is open for discussion by the City Council upon request of a Councilmember, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your "Request to Speak" form, you should come forward to speak at the time the Council considers the Consent Calendar.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

TELEVISION COVERAGE: Each regular City Council meeting is broadcast live in English and Spanish on City TV Channel 18 and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at www.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

12:30 p.m. - Ordinance Committee Meeting, Council Chamber
2:00 p.m. - City Council Meeting

ORDINANCE COMMITTEE MEETING - 12:30 P.M. IN THE COUNCIL CHAMBER (120.03)

Subject: Proposed Amendments To Municipal Code Chapter 9.116, Civil Defense And Disaster

Recommendation: That the Ordinance Committee consider a report from staff outlining proposed revisions to Chapter 9.116 of the Municipal Code to strengthen the City's ability to mitigate, prepare, respond, and recover from emergencies as well as providing for compliance with current state law and federal mandates.

REGULAR CITY COUNCIL MEETING – 2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meetings of June 18, 19, and 21, 2012, and the regular meetings of June 26, and July 3, 2012.

2. Subject: Certification Of The Election Results Of The Official Canvass For The Special Municipal Election Of June 5, 2012 (110.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Certifying the Election Results of the Official Canvass for the Special Municipal Election Held in the City on June 5, 2012.

3. Subject: Adoption Of Ordinance For The Santa Barbara Zoological Gardens Lease (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Thirty-Five Year Lease Agreement With A Fifteen-Year Lease Option, Between the City of Santa Barbara and the Santa Barbara Zoological Gardens Foundation, for Continued Lease of the Property Being Operated as the Santa Barbara Zoological Gardens, Commonly Known as the Santa Barbara Zoo.

4. Subject: Resolution Approving Application For Local Groundwater Assistance Grant (540.08)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Submit a Groundwater Management Plan Grant Application in an Amount of \$250,000 and Execute an Agreement With the California Department of Water Resources Local Groundwater Assistance Grant Program.

5. Subject: Introduction Of Ordinance For A Lease Agreement With Channel Island Outfitters, Inc., Doing Business As Paddle Sports Of Santa Barbara (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with Channel Island Outfitters, Inc., Doing Business As Paddle Sports of Santa Barbara, at a Monthly Rent of \$2,762.75, for Approximately 956 Square Feet of Retail Space and 374 Square Feet of Water Area Adjacent to the Navy Pier in the Santa Barbara Harbor, Effective August 24, 2012.

CONSENT CALENDAR (CONT'D)

6. Subject: Fiscal Year 2012 Interim Financial Statements For The Eleven Months Ended May 31, 2012 (250.02)

Recommendation: That Council accept the Fiscal Year 2012 Interim Financial Statements for the Eleven Months Ended May 31, 2012.

7. Subject: Amendment To Caltrans Agreement For State Route 192 Utility Relocations (530.04)

Recommendation: That Council authorize the Public Works Director to execute an amendment to Utility Agreement No. 05-UT-1015.703 with the California Department of Transportation, District 5, for relocation of City water line facilities, which increases the reimbursement by the City to Caltrans for relocation costs to a total of \$138,980.

8. Subject: Contract For Construction Of The El Estero Wastewater Treatment Plant Influent Pumps Replacement Project (540.13)

Recommendation: That Council:

- A. Award a contract with GSE Construction Co. in their low bid amount of \$2,583,700 for construction of the El Estero Wastewater Treatment Plant Influent Pumps Replacement Project, Bid No. 3607;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$258,370 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;
- C. Authorize the Public Works Director to execute a contract with Brown & Caldwell in the amount of \$178,892 for design support services during construction, and approve expenditures of up to \$17,890 for extra services of Brown & Caldwell that may result from necessary changes in the scope of work; and
- D. Authorize the Public Works Director to execute a contract with Mimiaga Engineering Group in the amount of \$264,000 for construction management services, and approve expenditures of up to \$26,400 for extra services of Mimiaga Engineering Group that may result from necessary changes in the scope of work.

CONSENT CALENDAR (CONT'D)

9. Subject: Contract For Development Of Wastewater Collection System Strategic Management Program - Phase III (540.13)

Recommendation: That Council authorize the Public Works Director to execute a contract with Brown and Caldwell in the amount of \$100,925 for Wastewater Collection system maintenance-related business process development and the related Sewer System Management Plan update, and authorize the Public Works Director to approve expenditures of up to \$10,093 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work, for a total of \$111,018.

10. Subject: Contract For Survey Services For Wastewater Collection System Survey Project (540.13)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services Contract with Penfield and Smith in the amount of \$211,780 for survey services for the Wastewater Collection System Survey Project, and authorize the Public Works Director to approve expenditures of up to \$21,180 for extra services that may result from necessary changes in the scope of work.

11. Subject: California Department Of Forestry And Fire Protection Urban Forest Management Plan Grant Award (570.05)

Recommendation: That Council increase revenues and appropriations by \$71,092 in the Parks and Recreation Department Fiscal Year 2013 Miscellaneous Grants Fund for the California Department of Forestry and Fire Protection (CAL FIRE) Urban and Community Forestry Grant.

12. Subject: Cancellation Of August 21, 2012, City Council Meeting (120.09)

Recommendation: That Council cancel the August 21, 2012, City Council meeting.

CONSENT CALENDAR (CONT'D)

13. Subject: Set A Date For Public Hearing Regarding Appeal Of Architectural Board Of Review Approval For 901 Olive Street (640.07)

Recommendation: That Council:

- A. Set the date of August 7, 2012, at 2:00 p.m. for hearing the appeal filed by Grant Castleberg of the Architectural Board of Review approval of an application for property owned by 901 Holdings LLC and located at 901 Olive Street, Assessor's Parcel No. 029-302-018, C-2 Commercial Zone, General Plan Designation: Commercial/Medium High Residential (15-27 Dwelling Units per Acre). The project proposes the construction of 10 one-story, studio apartment units and 9 two-story, one-bedroom apartment units above a new two-level parking structure. The new apartment units and parking structure will be added to an existing two-story office building; total development would be 60,060 square feet with a maximum height of 51 feet on a 33,005 square-foot lot. The project also includes alterations to the existing office building. The Staff Hearing Officer granted a zoning modification for a reduction in the number of required parking spaces; and
- B. Set the date of August 6, 2012, at 1:30 p.m. for a site visit to the property located at 901 Olive Street.

NOTICES

- 14. The City Clerk has on Thursday, July 12, 2012, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
- 15. Received a letter of resignation from Neighborhood Advisory Council member Sharon Byrne; the vacancy will be part of the next recruitment for City Advisory Groups.
- 16. Received a communication advising of a vacancy created on the Measure P Committee with the death of Member Gary Buffington; the vacancy will be part of the next City Advisory Groups recruitment.

This concludes the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

17. Subject: General Fund Reserve Policies (210.01)

Recommendation: That Council consider newly proposed policies governing the establishment and use of General Fund reserves recommended by the Finance Committee.

18. Subject: Proposed Budget Strategy For Impacts Of Redevelopment Agency Dissolution (620.01)

Recommendation: That Council hear a report from staff on the proposed budget strategy to address the financial impact of the Redevelopment Agency dissolution.

PUBLIC WORKS DEPARTMENT

19. Subject: Contract For Final Design Of The Mason Street Bridge Replacement Project (530.04)

Recommendation: That Council:

- A. Confirm that Kimberly Avenue shall remain a two-way street;
- B. Approve the proposed Mason Street Bridge Project width design and roadway geometry in accordance with City, State, and Federal standards, with design exceptions as approved by the City Engineer;
- C. Accept Federal Highway Administration Highway Bridge Program grant funding in the amount of \$5,106,236 for the Mason Street Bridge Replacement Project, and authorize the increase of estimated revenues and appropriations in the Fiscal Year 2013 Streets Capital Fund by \$5,106,236 for the Mason Street Bridge Replacement Project; and
- D. Authorize the Public Works Director to execute a City Professional Services contract with Bengal Engineering, Inc., in a form acceptable to the City Attorney, in the amount of \$550,340 for final design services for the Mason Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$55,034 for extra services of Bengal Engineering, Inc., that may result from necessary changes in the scope of work.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

20. Subject: Conference with Legal Counsel - Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider significant exposure to litigation (two potential cases) pursuant to subsection (b)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

21. Subject: Conference with Real Property Negotiators - 701 E. Haley Street (330.03)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54956.8 in order to provide direction to the City Administrator and to the City Attorney regarding the possible lease of real property owned by the City commonly known as 701 E. Haley Street.

Property: 701 E. Haley Street (Primo Boxing - Youth Sports Center)

City Negotiators: Nancy Rapp, Scott Vincent.

Negotiating Party: Primo Boxing - Joe and Jean Pommier

Under Negotiation: Rent and terms of lease.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

ADJOURNMENT

CITY OF SANTA BARBARA

ORDINANCE COMMITTEE MEETING

MEETING AGENDA

DATE: July 17, 2012
TIME: 12:30 p.m.
PLACE: Council Chambers

Grant House, Chair
Frank Hotchkiss
Randy Rowse

Office of the City
Administrator

Office of the City
Attorney

Lori Pedersen
Administrative Analyst

Stephen P. Wiley
City Attorney

ITEM FOR CONSIDERATION

Subject: Proposed Amendments To Municipal Code Chapter 9.116, Civil Defense And Disaster

Recommendation: That the Ordinance Committee consider a report from staff outlining proposed revisions to Chapter 9.116 of the Municipal Code to strengthen the City's ability to mitigate, prepare, respond, and recover from emergencies as well as providing for compliance with current state law and federal mandates.



CITY OF SANTA BARBARA

ORDINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Ordinance Committee

FROM: Office of Emergency Services, Fire Department

SUBJECT: Proposed Amendments To Municipal Code Chapter 9.116, Civil Defense And Disaster

RECOMMENDATION:

That the Ordinance Committee consider a report from staff outlining proposed revisions to Chapter 9.116 of the Municipal Code to strengthen the City's ability to mitigate, prepare, respond, and recover from emergencies as well as providing for compliance with current state law and federal mandates.

BACKGROUND

Chapter 9.116 of the Municipal Code, Civil Defense and Disaster, was last revised in 1999 and changes are needed to stay compliant with current state law. Also, the current terminology used in Chapter 9.116 is not standardized with the current State of California Emergency Plan.

DISCUSSION:

Staff is currently in the process of revising the City's Emergency Management Plan (formally Emergency Operations Plan). As a part of this effort, Council approved the Local Hazard Mitigation Plan in January 2012. Both of these plans are authorized through Chapter 9.116. Despite many changes in Emergency Management over the years, Chapter 9.116, Civil Defense and Disaster, has not been updated since 1999. Chapter 9.116 needs to reference current state law and federal mandates. In addition, the state Standardized Emergency Management System (SEMS), described in Government Code Section 8607(a), has also added requirements for managing emergencies involving local jurisdictions.

With these requirements, staff recommends the following summary of changes to Chapter 9.116.

- **Chapter Title** - "Civil Defense and Disaster" - This title is an outdated term no longer used by any state or federal emergency response agency. Therefore it is recommended to change the title of Chapter 9.116 to "Emergency Services"

- **9.116.010 Purpose** - Language within this section changed to be compliant with the State of California Emergency Plan, City's Emergency Management Plan (formally Emergency Operations Plan) and Local Hazard Mitigation Plan
- **9.116.020 Definitions** – Expanded to include new language within the Chapter and to track the definitions used by state agencies
- **9.116.050 Director of Emergency Services Power and Duties** – Major change in verbiage to stay compliant with Standardized Emergency Management Systems (SEMS) GC 8607(a)
- **9.116.080 Services and Staff of the Emergency Services Organization** – Added Local Hazard Mitigation Plan as part of the approval process for City Council to be compliant with the Federal Government's Disaster Mitigation Act of 2000 (DMA2K)
- **9.116.090 Line of Succession for Mayor During Emergency** – **Added** to Chapter 9.116 to be compliant with the State Emergency Plan and City's Emergency Management Plan (formally Emergency Operations Plan)
- **9.116.100 Emergency Operations Center** – **Added** to Chapter 9.116 to be compliant with the City's Emergency Management Plan (formally Emergency Operations Plan) and the Local Hazard Mitigation Plan
- **9.116.100 Severability** – **Removed** because the Municipal Code has a general severability provision in Section 1.01.020 of the Municipal Code.

In addition, all references to the "Uniform Fire Code" in the Santa Barbara **Municipal Code** shall be amended to refer to the "California Fire Code".

ATTACHMENT: Draft Municipal Code Chapter 9.116 Showing Changes from Existing Code

PREPARED BY: Yolanda McGlinchey, Emergency Services Manager

SUBMITTED BY: Andrew DiMizio, Fire Chief

APPROVED BY: City Administrator's Office

ORDINANCE COMMITTEE DISCUSSION DRAFT 6/12/12
SHOWING CHANGES FROM THE EXISTING CODE

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARABRA AMENDING CHAPTER 9.116 OF THE
SANTA BARBARA MUNICIPAL CODE RELATING TO
EMERGENCY SERVICES

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS
FOLLOWS:

Section1. Chapter 9.116 of Title 9 of the Santa Barbara Municipal Code is amended to
read as follows:

9.116.010Purposes.

The declared purposes of this ordinance are to provide for the preparation and
carrying out of plans for the protection of persons, ~~and~~ property, and the environment
within this City in the event of an emergency or disaster; the direction of emergency
organization; and the coordination of the emergency functions of the City with the
County Operational Area, other public agencies or entities, and affected private
persons, corporations, or organizations; ~~and to provide for the coordination of the~~
~~Emergency Services functions of this City with all other public agencies and affected~~
~~private persons, corporations and organizations.~~ Any expenditures made in connection
with such Emergency Services activities, including mutual aid activities, shall be
deemed conclusively to be for the direct protection and benefit of the inhabitants of the
City.

9.116.020 Definitions.

As used in this Chapter, the following terms shall have the designated meanings:

A. “State of Emergency” means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by such conditions as air pollution, fire, flood, storm, epidemic, civil unrest, drought, sudden and severe energy shortage, plant or animal infestation, the Governor’s warning of an earthquake or volcanic prediction, or an earthquake, or other conditions, other than conditions resulting from a labor controversy or conditions causing a “state of war emergency”, which, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the City and require the combined forces of a mutual aid region or regions to combat, or with respect to regulated energy utilities, a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the California Public Utilities Commission..

B. “State of War Emergency” means a condition which exists immediately, with or without a proclamation thereof by the Governor, whenever this state or nation is attacked by an enemy of the United States, or upon receipt by the state of a warning from the federal government indicating that such an enemy attack is probable or imminent.

C. “Local Emergency” means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within this City caused by such conditions as air pollution, fire, flood, storm, epidemic, civil unrest, drought,

sudden and severe energy shortage, plant or animal infestation, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, or other conditions, other than conditions resulting from a labor controversy, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the City and require the combined forces of other political subdivisions to combat, or with respect to regulated energy utilities, a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the California Public Utilities Commission..

D. "Operational Area" means an intermediate level of the state emergency services organization, consisting of a county and all political subdivisions within the county area. Pursuant to Government Code Section 8559, each county is designated as an Operational Area. The Operational Area for the City of Santa Barbara is the County of Santa Barbara.

E. "Standardized Emergency Management System" (SEMS) means the system required to be established by Government Code Section 8607(a) for managing emergencies involving multiple jurisdictions and agencies.

F. Any other term or phrase used herein which is not defined herein but is defined within the Emergency Services Act, Government Code Section 8550, et seq., shall have the meaning ascribed therein.

~~—(1) Emergency Services. As used in this ordinance, the term "Emergency Services" shall mean preparation for and carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters. It shall not include, nor does any provision of this ordinance apply to any condition relating to a labor controversy.~~

~~—(2) Disaster. As used in this ordinance, the term "disaster" shall mean actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, riot, earthquake or other similar public calamity.~~

9.116.030 Emergency Services Council - Membership.

The Emergency Services Council is hereby created and shall consist of the following:

~~—(1) A.~~ The City Administrator, who serves as Director of Emergency Services, shall be chairman.

~~—(2) B. The ~~Coordinator of~~ Emergency Services Manager, who serves as Vice-Chair is responsible for the development and maintenance of emergency plans, organization and coordination of emergency programs and training to include volunteers, and such other duties as may be assigned by the Director. He shall be Chief of the City Office of Emergency Services.~~

~~—(3) C.~~ The Chief of Police, the Fire Chief, the Director of Public Works, and such representatives of departments, services or divisions as are designated by the City Administrator.

~~—(4) D.~~ Such representatives of the community as may be appointed by the City Administrator with the consent of the City Council.

9.116.040 Emergency Services Council - Powers and Duties.

It shall be the duty of the Santa Barbara Emergency Services Council, and it is hereby empowered, to review and recommend for adoption by the City Council, emergency preparedness and mutual aid plans and agreements and such ordinances and resolutions and rules as are necessary to implement such plans and agreements.

The Emergency Services Council shall meet upon call of the Director of Emergency

Services, or in his or her absence from the City or inability to call such meeting, ~~upon~~

~~the call of the Acting Director of the Assistant City Administrator, or, in the absence or inability of both the Director of Emergency Services and the Assistant City~~

~~Administrator, the~~ Emergency Services Manager, ~~appointed in accordance with Section~~

~~608 of the City Charter. the Emergency Services Council shall be responsible for the~~

~~development of the City of Santa Barbara Emergency Management Plan which shall~~

~~provide for the effective mobilization of all the resources of the City, both public and~~

~~private, to meet any condition constituting a Local Emergency, State of Emergency, or~~

~~State of War Emergency; and shall provide for the organization, powers and duties,~~

~~services, and staff of the emergency organization. The Emergency Management Plan~~

~~shall take effect upon adoption by resolution of the City Council.~~

9.116.050 Director of Emergency Services - Powers and Duties.

The Director is hereby empowered:

~~—(1) To request the City Council to proclaim the existence or threatened existence of a disaster or an emergency and the termination thereof, if the City Council is in session, or to issue such proclamation if the City Council is not in session, subject to confirmation by the City Council at the earliest possible time.~~

~~—(2) To request the Governor to proclaim a state of disaster or a state of extreme emergency when in the opinion of the Director the resources of the area or region are inadequate to cope with the disaster.~~

~~—(3) To control and direct the effort of the Emergency Services Organization of this City for the accomplishment of the purposes of this ordinance.~~

~~—(4) To direct coordination and cooperation between divisions, services and staff of the Emergency~~

~~Services Organization of this City, and to resolve questions of authority and responsibility that may arise between them.~~

~~—(5) To represent the Emergency Services Organization of this City in all dealings with public or private agencies pertaining to Emergency Services.~~

A. To ask the City Council to proclaim the existence of a local emergency, if the City Council is in session.

B. To proclaim the existence of a local emergency, if the City Council is not in session. Whenever a local emergency is proclaimed by the Director, the local emergency shall not remain in effect for a period in excess of seven (7) days unless it has been ratified by the City Council.

C. To ask the Governor, through the Operational Area (County), to proclaim a state of emergency when, in the opinion of the Director, the resources of the City or the Operational Area are inadequate to respond to the emergency.

D. To control and direct the effort of the Emergency Services Organization of the City for the accomplishment of the purposes of this ordinance.

E. To direct coordination and cooperation between divisions, services and staff of the Emergency Services Organization of the City and to resolve questions of authority or responsibility that may arise between them.

F. To use all City resources for the preservation of life and property and to reduce the effects of the emergency.

G. To represent the Emergency Services Organization of the City in all dealings with the public or private agencies pertaining to emergency services.

9.116.060 Powers of Director During ~~Disaster~~an Emergency.

In the event ~~of the proclamation of a disaster or emergency as herein provided~~ a local emergency is proclaimed as provided in this Chapter, or ~~the proclamation of a state of disaster or a state of extreme emergency~~ a state of emergency or a state of war emergency is proclaimed by the Governor or the Director of the California Office of Emergency Services, the Director is empowered:

~~(1)~~A. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such ~~disasters~~emergencies, provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council.

~~(2)~~B. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the people and bind the City for the fair value thereof, and if required immediately, to commandeer the same for public use.

~~(3)~~C. To require emergency services of any City officer or employee and, in the event of the proclamation of a state of ~~disaster or a state of extreme~~ emergency by the Governor in the region in which this City is located, to command the aid of as many citizens of this community as he thinks necessary in the execution of his duties; and such persons shall be entitled to all privileges, benefits and immunities as are provided by State law for registered Emergency Services volunteers.

~~(4)~~D. To requisition necessary personnel or material of any City department or agency.

~~(5)~~E. To execute all of his ordinary power as City Administrator, all of the special powers conferred upon him by this ordinance or by resolution adopted pursuant thereto, all powers conferred upon him by any statute, agreement approved by the City Council, or by any other lawful authority, and in conformity with Section 38791 of the Government Code, to exercise complete authority over the City and to exercise all Police power vested in the City by the Constitution and general laws.

9.116.070Emergency Services Organization.

All officers and employees of this City, together with those volunteer forces enrolled to aid them during ~~a disaster~~an emergency, and all groups, organizations and persons who may by agreement or operation of law, including persons pressed into service under the provisions of Section 9.116.060~~(3)~~C be charged with duties incident to the protection of life and property in this City during such ~~disaster~~emergency, shall constitute the Emergency Services Organization of the City of Santa Barbara.

All volunteer forces enrolled to aid the City during an emergency will sign an oath and work as a disaster services worker for the duration of the incident in accordance with California Government Code Sections 3100-3109.

9.116.080Divisions, Services and Staff of the Emergency Services Organization.

The City Council shall pass a resolution adopting the City of Santa Barbara Emergency Management Plan and Local Hazard Mitigation Plan (Federal Disaster Management Act 2000). The Emergency Management Plan shall set forth the form of the Emergency Services Organization, establish and designate divisions and services, assign functions, duties and powers, and designate officers and employees. The Local Hazard Mitigation Plan will outline the natural, technological, and intentional threats to the City. Insofar as possible, the form of organization, titles and terminology shall conform to the state Standardized Emergency Management System (SEMS) and the recommendations of the counterpart Emergency and Disaster Agencies of the Federal Government and the State of California.

9.116.090 Line of Succession for Mayor During Emergency

The line of succession for the position of Mayor, in the case of the absence or disability of the Mayor during a state of emergency, a state of war emergency, a local emergency, or other conditions of disaster, shall commence with the Mayor Pro Tempore and continue through the members of the City Council by seniority. If two members of the City Council have equal seniority, the member whose last name comes earlier alphabetically shall serve as Mayor.

9.116.100 Emergency Operation Centers

Unless exigencies render the same impossible or unduly hazardous, the primary emergency operation center shall be maintained at Fire Station One. The alternate emergency operation center and subsequent disaster operation center are described in the City's Emergency Management Plan. Also, the checklist for setting up the emergency operation center and calling back personnel is specified in the Emergency Management Plan and emergency operation center activation plan.

9.116.0909.116.110 Punishment of Violations.

It shall be a misdemeanor, punishable by a fine of not to exceed five hundred dollars (\$500.00), or by imprisonment for not to exceed six (6) months, or both, for any person during a disaster:

~~(1)~~A. Wilfully to obstruct, hinder or delay any member of the Emergency Services Organization in the enforcement of any lawful rule or regulation issued pursuant to this ordinance, or in the performance of any duty imposed upon him by virtue of this

ordinance.

~~(2)~~B. To do any act forbidden by any lawful rules or regulations issued pursuant to this ordinance, if such act is of such a nature as to give or be likely to give assistance to the enemy, or to imperil the lives or property of inhabitants of this City, or to prevent, hinder or delay the defense or protection thereof.

~~(3)~~C. To wear, carry or display, without authority, any means of identification specified by the Emergency Services Agency of the State.

~~9.116.100~~ Severability.

~~—If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.~~

Section 2. All references to “The Uniform Fire Code” in the Santa Barbara Municipal Code ~~Title 8, Chapter 8.04~~ shall be amended to refer to “The California Fire Code”.



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

SPECIAL MEETING June 18, 2012 336 N. MILPAS STREET

CALL TO ORDER

Mayor Pro Tempore Frank Hotchkiss called the meeting to order at 1:45 p.m.

ROLL CALL

Councilmembers present: Dale Francisco, Grant House, Cathy Murillo, Randy Rowse, Bendy White, Mayor Pro Tempore Hotchkiss.

Councilmembers absent: Mayor Helene Schneider.

Staff present: City Administrator James L. Armstrong, Assistant City Administrator/Community Development Director Paul Casey.

PUBLIC COMMENT

No one wished to speak.

SITE VISIT

Subject: 336 N. Milpas Street

Recommendation: That Council make a site visit to the property located at 336 N. Milpas Street, which is the subject of an appeal hearing scheduled for June 19, 2012, at 2:00 p.m.

Speakers:

Staff: Senior Planner Jaime Limón.

Discussion:

Staff reviewed the appeal issues for the Council, with a focus on the height of the project's southern wall. Councilmembers' questions were answered.

ADJOURNMENT

Mayor Pro Tempore Hotchkiss adjourned the meeting at 2:10 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

| | |
|--------------------------------------|---|
| _____ | ATTEST: _____ |
| FRANK HOTCHKISS MAYOR PRO TEMPORE | SUSAN TSCHECH, CMC DEPUTY CITY CLERK |



CITY OF SANTA BARBARA

CITY COUNCIL MINUTES

SPECIAL MEETING

June 19, 2012

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 10:03 a.m. at the David Gebhard Public Meeting Room, 630 Garden Street.

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House (10:06 a.m.), Cathy Murillo (10:08 a.m.), Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

PUBLIC COMMENT

No one wished to speak.

WORK SESSIONS

1. Subject: Workshops Regarding Resource Recovery Project At Tajiguas Landfill (630.01)

Recommendation: That Council receive a report from staff regarding the Resource Recovery Park Project at the Tajiguas Landfill.

Documents:

- June 19, 2012, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

1. (Cont'd)

Speakers:

- Staff: Environmental Services Manager Matthew Fore, Finance Director Robert Samario, City Attorney Stephen Wiley.
- Members of the Public: Mike Lunsford, Gaviota Coast Conservancy; Jon Dewey, Mustang Renewable Power Ventures; Mark Schleich, Santa Barbara County Public Works Department.

Discussion:

Environmental Services Manager Matthew Fore explained the background for and the description of the proposed Resource Recovery Park project, the purpose of which is to capture recyclable material left in trash transported to the Tajiguas Landfill. He reviewed what was learned from a site visit made to the City of San Jose, which included tours of two Material Recovery Facilities and one composting facility. Mr. Fore concluded his presentation with a description of two options for development of the project as well as Staff's recommendation that both options be studied as part of the required environmental review. An additional meeting of Council to discuss this issue is scheduled for Thursday, June 21, 2012, at 3:00 p.m.

RECESS

12:05 p.m. – 2:00 p.m. The Council reconvened at City Hall, 735 Anacapa Street. Mayor Schneider presiding.

Councilmembers present: Francisco, Hotchkiss, House, Murillo, Rowse, White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Armstrong, City Attorney Wiley, Deputy City Clerk Tschech.

The Finance and Ordinance Committees, which ordinarily meet at 12:30 p.m., did not meet on this date.

PUBLIC COMMENT

Speakers: Amy Walker; Robert Burke; Claudia Bratton, Summer Solstice; K8 Longstory.

CONSENT CALENDAR (Item Nos. 2 – 9)

The titles of resolutions related to Consent Calendar items were read.

Motion:

Councilmembers White/Hotchkiss to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meetings of May 16, and June 6, 2012.

Action: Approved the recommendation.

3. Subject: Property Tax Exchange Agreement For 455 And 457 North Hope Avenue Annexation (680.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara in the Matter of Providing for a Negotiated Exchange of Property Tax Revenues Pertaining to the Hope Avenue Reorganization, an Annexation of Properties Located at 455 North Hope Avenue (Assessor's Parcel Nos. 057-191-011 and 057-191-014) and 457 North Hope Avenue (Assessor's Parcel No. 057-170-012) to the City of Santa Barbara, and Detachment from the Santa Barbara County Fire Protection District, Goleta Water District and County Service Area 32.

Action: Approved the recommendation; Resolution No. 12-035 (June 19, 2012, report from the Finance Director; proposed resolution).

4. Subject: Contract For Asset Management Program Development Services For The Water Distribution System (540.01)

Recommendation: That Council authorize the Public Works Director to execute a contract with Brown and Caldwell in the amount of \$437,842 to provide Asset Management Program Development Services for the Water Distribution System, and authorize the Public Works Director to approve expenditures of up to \$43,784 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work, for a total amount not to exceed \$481,626.

Action: Approved the recommendation; Contract No. 24,156 (June 19, 2012, report from the Public Works Director).

5. Subject: Contract For Professional Services For Right-Of-Way Acquisition And Relocation Assistance For Cota Street Bridge Replacement Project (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a Professional Services Contract with Hamner, Jewell & Associates in the amount of \$50,000, for right-of-way acquisition and relocation assistance services for the Cota Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$5,000 for extra services of Hamner, Jewell & Associates that may result from necessary changes in the scope of work;
- B. Accept Federal Highway Administration Highway Bridge Program Grant funding in the total amount of \$2,036,190 for the Cota Street Bridge Replacement Project; and
- C. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2012 Streets Grant Capital Fund by \$2,036,190 for the Cota Street Bridge Replacement Project.

Action: Approved the recommendations; Contract No. 24,157 (June 19, 2012, report from the Public Works Director).

6. Subject: Approval Of Santa Barbara Metropolitan Transit District As The Sole Vendor To Provide Busboard Display Space For Airport Advertising Panels (560.01)

Recommendation: That Council find it to be in the City's best interest to waive the formal bid process as authorized by Municipal Code Section 4.52.070(k) and approve the Santa Barbara Metropolitan Transit District (MTD) as the sole source for providing the City with busboard advertising for the Airport Department's marketing campaigns from July 1, 2012, through June 30, 2018, and authorize the General Services Manager to issue a purchase order to MTD for \$48,414 for busboard display space for Fiscal Year 2013, and to issue purchase orders in subsequent fiscal years, if required, subject to approved funding for the program.

Action: Approved the recommendation (June 19, 2012, report from the Airport Director).

7. Subject: Lease Agreement With Santa Barbara Fish Market (330.04)

Recommendation: That Council approve a four-year lease agreement with Santa Barbara Fish Market, Inc., for approximately 734 square feet of office space at 132-B Harbor Way, at a base rent of \$1,995 per month, with annual Consumer Price Index adjustments, plus a \$110 monthly utility charge.

Action: Approved the recommendation; Agreement No. 24,158 (June 19, 2012, report from the Waterfront Director).

8. Subject: Alcoholic Beverage Control Grant Assistance To Local Law Enforcement Agencies (520.04)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing Acceptance of Funding Granted by the Department of Alcoholic Beverage Control for the Alcoholic Beverage Control Grant Assistance to Local Law Enforcement Agencies Project;
- B. Authorize the Police Chief to execute the grant agreement award; and
- C. Appropriate the City's grant allocation of \$99,180 to the Miscellaneous Grant Fund.

Action: Approved the recommendations; Resolution No. 12-036; Agreement No. 24,159 (June 19, 2012, report from the Chief of Police; proposed resolution).

NOTICES

9. The City Clerk has on Thursday, June 14, 2012, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

10. Subject: Public Hearing For The Parking And Business Improvement Area Annual Assessment Report For Fiscal Year 2013 (550.10)

Recommendation: That Council:

- A. Consider appropriate protests to the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2013, as required under the California Parking and Business Improvement Area Law of 1989; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Fixing and Assessing the Parking and Business Improvement Area Assessment Rates for Fiscal Year 2013, and Confirming Approval of the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2013.

Councilmember Rowse stated he would not participate in this item due to a conflict of interest related to his ownership of a business located within the assessment district, and he left the meeting at 2:14 p.m.

(Cont'd)

10. (Cont'd)

Documents:

- June 19, 2012 report from the Public Works Director.
- Proposed Resolution.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.

The title of the resolution was read.

Public Comment Opened:

2:14 p.m.

Speakers:

Staff: Transportation Manager Browning Allen, Administrative Assistant Malcolm Hamilton, City Administrator James Armstrong.

Public Comment Closed:

2:18 p.m.

Motion:

Councilmembers House/White to approve recommendation B; Resolution No. 12-037.

Vote:

Unanimous roll call vote (Absent: Councilmember Rowse).

Councilmember Rowse returned to the meeting at 2:21 p.m.

FINANCE DEPARTMENT

11. Subject: Adoption Of The Operating And Capital Budget For Fiscal Year 2013 (230.05)

Recommendation: That Council adopt, by reading of title only:

- A. A Resolution of the Council of the City of Santa Barbara Adopting the Budget for Fiscal Year 2013 by Appropriating Moneys for the Use and Support of Said City from the Funds and to the Purposes Herein Specified;
- B. A Resolution of the Council of the City of Santa Barbara Establishing the City's Appropriation Limitation for Fiscal Year 2013;
- C. A Resolution of the Council of the City of Santa Barbara Revising the City's Appropriation Limitation for Fiscal Year 2012;
- D. A Resolution of the Council of the City of Santa Barbara Establishing Certain City Fees and Rescinding Resolution Nos. 11-048, 11-066, and 11-067;

(Cont'd)

11. (Cont'd)

- E. A Resolution of the Council of the City of Santa Barbara Authorizing Classified and Unclassified Positions in the City's Service Effective July 1, 2012, and Providing a Schedule of Classifications and Salaries for the Same in Accordance with the Operating Budget for the 2013 Fiscal Year;
- F. A Resolution of the Council of the City of Santa Barbara Authorizing the Continuation of Capital and Special Project Appropriations to Fiscal Year 2013;
- G. A Resolution of the Council of the City of Santa Barbara for Paying and Reporting the Value of Employer-Paid Member Contributions (EPMC) for Regular Miscellaneous Employees Effective June 16, 2012; and
- H. A Resolution of the Council of the City of Santa Barbara for Employer-Paid Member Contributions for Hourly Employees Effective June 16, 2012.

Documents:

- June 19, 2012 report from the Finance Director.
- Proposed Resolutions.
- PowerPoint presentation prepared and made by Staff.

The titles of the resolutions were read.

Speakers:

- Staff: Finance Director Robert Samario, City Attorney Stephen Wiley, City Administrator James Armstrong.
- Rental Housing Mediation Task Force: Member Chris Casebeer.
- Members of the Public: Patricia Bartoli-Wible, Southern California Edison; Tim Mahoney, Southern California Gas Co.

Motion:

Councilmembers Hotchkiss/House to approve recommendations A – C and E – H; Resolution Nos. 12-038 – 12-040 and 12-042 – 12-045.

Vote:

Unanimous roll call vote.

The Council then took up the resolution referred to in recommendation D. Councilmember Rowse stated he would abstain from voting on the approval of City fees related to downtown parking due to a conflict of interest related to his ownership of a business located within the Parking and Business Improvement Area. Councilmembers Rowse and White stated they would abstain from voting on the approval of Waterfront slip, mooring, and user fees due to conflicts of interest related to their rental of Harbor slips.

(Cont'd)

11. (Cont'd)

Motion:

Councilmembers White/Hotchkiss to approve recommendation D, excluding those portions of the schedule attached to the associated resolution related to Downtown Parking Fees and Waterfront Harbor Slip, Mooring, and User Fees; Resolution No. 12-041.

Vote:

Unanimous roll call vote.

Motion:

Councilmembers White/House to approve that portion of the schedule attached to Resolution No. 12-041 related to Downtown Parking Fees.

Vote:

Unanimous roll call vote (Abstention: Councilmember Rowse).

Motion:

Councilmembers House/Hotchkiss to approve that portion of the schedule attached to Resolution No. 12-041 related to Waterfront Harbor Slip, Mooring, and User Fees.

Vote:

Unanimous roll call vote (Abstentions: Councilmembers Rowse, White).

PUBLIC HEARINGS

12. Subject: Appeal Of The Architectural Board Of Review Decision To Approve Revisions To Project At 336 North Milpas Street (640.07)

Recommendation: That Council deny the appeal of Tony Fischer on behalf of the Mary Z. Frangos Trust, and uphold the Architectural Board of Review (ABR) approval for Review After Final on the application of Fresh & Easy Neighborhood Market for changes to perimeter walls and landscaping planters.

Documents:

- June 19, 2012 report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- Text of Santa Barbara Municipal Code Section 28.04.140 (Building Height), photograph of portion of project's perimeter wall in question, and copy of excerpt from project's approved building plans, all submitted by the Appellant.

Public Comment Opened:

2:40 p.m.

(Cont'd)

12. (Cont'd)

Speakers:

- Staff: Senior Planner Jaime Limón, Chief Building Official George Estrella.
- Appellant: Attorney Tony Fischer, Constantino Frangos.
- Applicant: Ben Shearer, Director of Construction for Fresh & Easy Neighborhood Market, Inc.; Landscape Architect Bob Cunningham.

Public Comment Closed:

3:39 p.m.

Motion:

Councilmembers Hotchkiss/Francisco to approve the recommendation.

Vote:

Majority voice vote (Noes: Councilmembers House, White, Mayor Schneider).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo reported on her attendance at: 1) a meeting of the Neighborhood Advisory Council, at which a new interactive website for neighbors was presented; and 2) a joint meeting of PUEBLO and CLUE, during which immigration issues and relations with the Police Department were discussed.
- Councilmember White spoke about the Neighborhood Advisory Council and its willingness to begin to deal with several intractable problems facing the community.
- Councilmember Rowse mentioned his attendance at a meeting of the Mesa neighborhood with Police Department beat coordinators.
- Mayor Schneider reported on the recent meeting of LOSSAN (Los Angeles-San Diego Rail Corridor Agency) regarding the progress of State legislation to grant control of AMTRAK schedules to local jurisdictions. She also commented on the upcoming meeting of SBCAG (Santa Barbara County Association of Governments) to discuss the continuation of the VISTA inter-community bus service.

RECESS

The Mayor recessed the meeting at 4:27 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 13 and 14, and she stated there would be no reportable action taken during the closed sessions.

CLOSED SESSIONS

13. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the City's General bargaining unit and the Police Management Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 45 minutes; anytime

Report: None anticipated

Documents:

June 19, 2012 report from the Assistant City Administrator.

Time:

4:30 p.m. – 4:35 p.m.

No report made.

14. Subject: Conference with Legal Counsel - Potential Litigation (160.03)

Recommendation: That Council hold a closed session to consider the possible initiation of litigation pursuant to subsection (c) of Section 54956.9 of the Government Code and take appropriate action as needed (one potential case).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

June 19, 2012 report from the City Attorney.

Time:

4:35 p.m. – 4:45 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:45 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST:

SUSAN TSCHECH, CMC
DEPUTY CITY CLERK



CITY OF SANTA BARBARA

CITY COUNCIL MINUTES

SPECIAL MEETING

June 21, 2012

DAVID GEBHARD PUBLIC MEETING ROOM

630 GARDEN STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 3:01 p.m.

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

PUBLIC COMMENT

No one wished to speak.

NOTICES

The City Clerk has on Thursday, June 14, 2012, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

WORK SESSIONS

Subject: Workshops Regarding Resource Recovery Project At Tajiguas Landfill (630.01)

Recommendation: That Council receive a report from staff regarding the Resource Recovery Park Project at the Tajiguas Landfill.

(Cont'd)

Workshops Regarding Resource Recovery Project At Tajiguas Landfill (Cont'd)

Documents:

- June 21, 2012 report from the Finance Director.
- June 21, 2012 PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Finance Director Robert Samario, Environmental Services Manager Matthew Fore, City Attorney Stephen Wiley.
- Members of the Public: Mike Lunsford, Gaviota Coast Conservancy; John Dewey, Mustang Power Ventures, LLC.
- County of Santa Barbara: Public Works Deputy Director Mark Schleich.

Discussion:

Staff presented a financial analysis related to the Resource Recovery Project, two proposals from Mustang Power Ventures, LLC, and the key elements of a Joint Powers Authority and a Joint Powers Agreement, and discussed the next steps. Staff responded to the Councilmembers' questions.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:20 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

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| _____ | ATTEST:_____ |
| HELENE SCHNEIDER | BRENDA ALCAZAR, CMC |
| MAYOR | DEPUTY CITY CLERK |



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING June 26, 2012 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance and Ordinance Committees, which ordinarily meet at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House (2:02 p.m.), Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Gwen Peirce.

PUBLIC COMMENT

Speakers: Steve Reynolds, Kate Longstory.

ITEM REMOVED FROM THE CONSENT CALENDAR

Councilmember Rowse stated that he would abstain from voting on the following item due to a potential conflict of interest.

3. Subject: Downtown Organization Maintenance Agreement for Fiscal Year 2013 (530.04)

Recommendation: That Council authorize the Parks and Recreation Director to execute an agreement in the amount of \$594,242 with the Downtown Organization (DO) for landscape maintenance, sidewalk cleaning, and general maintenance of the 00-1200 blocks of State Street from Victoria Street to Cabrillo Boulevard, including the 101 underpass and various cross streets, from July 1, 2012 through June 30, 2013.

Motion:

Councilmembers Hotchkiss/Francisco to approve the recommendation; Contract No. 24,163 (June 26, 2012 report from the Parks and Recreation Director).

Vote:

Unanimous roll call vote (Abstention: Councilmember Rowse).

CONSENT CALENDAR (Item Nos. 1, 2, and 4 - 17)

The titles of the resolutions related to the Consent Calendar were read.

Motion:

Councilmembers Francisco/House to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of May 22, June 5, and June 12, 2012.

Action: Approved the recommendation.

2. Subject: Animal Control Shelter Services Agreement With The County Of Santa Barbara (520.05)

Recommendation: That Council authorize the Chief of Police or his designee to execute an agreement with the County of Santa Barbara in the amount of \$288,121 to provide animal control shelter services from July 1, 2012 to June 30, 2013.

Action: Approved the recommendation; Contract No. 23,835.1 (June 26, 2012 report from the Chief of Police).

4. Subject: Rental Agreement For Hilda Ray House (570.05)

Recommendation: That Council authorize the Parks and Recreation Director to enter into a one-year rental agreement with Tatum Marie Sarinana, for the Hilda Ray House at Hilda McIntyre Ray Park, commencing July 1, 2012 and ending June 30, 2013.

Action: Approved the recommendation; Agreement No. 24,164 (June 26, 2012 report from the Parks and Recreation Director).

5. Subject: Community Promotion Contract For The Santa Barbara Region Chamber Of Commerce To Support Operation Of The Visitor Information Center (180.01)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with the Santa Barbara Region Chamber of Commerce in an amount of \$49,045 to support year-round expenses of the Visitor Information Center.

Action: Approved the recommendation; Contract No. 24,165 (June 26, 2012 report from the Finance Director).

6. Subject: Community Promotion Contract With Old Spanish Days (180.02)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with Old Spanish Days in an amount of \$89,368 covering the period from July 1, 2012 to May 31, 2013.

Action: Approved the recommendation; Contract No. 24,166 (June 26, 2012 report from the Finance Director).

7. Subject: Community Promotion Contract With Santa Barbara International Film Festival (230.02)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with Santa Barbara International Film Festival in an amount of \$49,464 covering the period from July 1, 2012 to June 30, 2013.

Action: Approved the recommendation; Contract No. 24,167 (June 26, 2012 report from the Finance Director).

8. Subject: Community Promotion Contract With The Santa Barbara Conference And Visitors Bureau And Film Commission (180.02)

Recommendation: That Council authorize the Finance Director to execute the Fiscal Year 2013 Community Promotion contract with the Santa Barbara Conference and Visitors Bureau in an amount of \$1,349,535 for the term of July 1, 2012 through June 30, 2013.

Action: Approved the recommendation; Contract No. 24,168 (June 26, 2012 report from the Finance Director).

9. Subject: License Agreement With The Santa Barbara Swim Club (330.08)

Recommendation: That Council authorize the Parks and Recreation Director to execute the renewal of a two-year license agreement with the Santa Barbara Swim Club for the use of Los Baños del Mar Swimming Pool.

Action: Approved the recommendation; Agreement No. 24,169 (June 26, 2012 report from the Parks and Recreation Director).

10. Subject: Approval Of Final Map And Execution Of Agreements For 34 West Victoria Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Final Map Number 20,796 and standard agreements relating to the approved subdivision at 34 West Victoria Street, and authorize the City Engineer to record a recital document stating that the public improvements have been completed, and that the previously recorded Land Development Agreement may be removed from the title document after the public improvements are complete.

Action: Approved the recommendation; Contract Nos. 24,170 – 24,172 (June 26, 2012 report from the Public Works Director).

11. Subject: California State Coastal Conservancy Grant Of \$200,000 For The Lower Mesa Lane Stairs Replacement Project (570.05)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the City Administrator to Enter into a Grant Agreement Between the City and the California State Coastal Conservancy for the Lower Mesa Lane Steps Replacement Project; and
- B. Increase estimated revenues and appropriations by \$200,000 in the Fiscal Year 2013 Capital Outlay Fund.

Action: Approved the recommendations; Resolution No. 12-046; Agreement No. 24,173 (June 26, 2012 report from the Public Works Director).

12. Subject: Contract For Construction Of The Zone 5 Pavement Preparation Project (530.04)

Recommendation: That Council:

- A. Award a contract to Granite Construction Company, in its low bid amount of \$839,944, for construction of the Zone 5 Pavement Preparation, Bid No. 3655;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$67,196 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment; and
- C. Authorize the Public Works Director to execute a contract with Flowers & Associates, Inc., in the amount of \$103,380 for construction support services, and approve expenditures of up to \$10,338 for extra services of Flowers & Associates, Inc., that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract Nos. 24,174 and 24,175 (June 26, 2012 report from the Public Works Director).

13. Subject: Contract For Construction For Zone 5 Slurry Seal Project (530.04)

Recommendation: That Council:

- A. Award a contract to Pavement Coatings Co., waiving minor bid irregularities, in its low bid amount of ~~\$1,193,544~~ \$1,194,104 for construction of the Zone 5 Slurry Seal Project, Bid No. 3656;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$95,484 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;
- C. Authorize the Public Works Director to execute a contract with Flowers & Associates in the amount of \$165,410 for construction support services, and approve expenditures of up to \$16,541 for extra services that may result from necessary changes in the scope of work;
- D. Accept funding in the total amount of \$17,958 from NextG Networks, Inc., for costs associated with slurry sealing; and
- E. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2012 Streets Capital Fund by \$17,958 for the Zone 5 Slurry Seal Project.

Action: Approved the recommendations, with a revision to the contract amount in Recommendation A; Contract Nos. 24,176 and 24,177 (June 26, 2012 report from the Public Works Director).

14. Subject: Contract For Design For The Fiscal Year 2013 Pavement Maintenance Project (530.04)

Recommendation: That Council:

- A. Approve the selection of Flowers & Associates, Inc., to provide professional engineering design and construction management services for the annual Pavement Maintenance Project scheduled for Fiscal Years 2013 through 2015; and
- B. Authorize the Public Works Director to execute a City Professional Services contract with Flowers & Associates, Inc., in the amount of \$80,479 for design services for the Fiscal Year 2013 Pavement Maintenance Project, and authorize the Public Works Director to approve expenditures of up to \$8,048 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract No. 24,178 (June 26, 2012 report from the Public Works Director).

15. Subject: Execution Of Agreement With The Santa Barbara Metropolitan Transit District For Transit Services (150.05)

Recommendation: That Council authorize the Public Works Director to execute a one-year agreement for Fiscal Year 2013 with the Santa Barbara Metropolitan Transit District, in a form acceptable to the City Attorney, for transit services in an amount not to exceed \$1,188,180.

Action: Approved the recommendation; Agreement No. 24,179 (June 26, 2012 report from the Public Works Director).

16. Subject: Statement Of Investment Policy And Delegation Of Investment Authority for Fiscal Year 2013 (260.01)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Investment Policy for the City and Rescinding Resolution No. 11-043; and
- B. Authorize the City Administrator/City Clerk/City Treasurer to invest or reinvest funds, or to sell or exchange securities so purchased for the City of Santa Barbara and the City of Santa Barbara acting as the Redevelopment Successor Agency, for Fiscal Year 2013.

Action: Approved the recommendations; Resolution No. 12-047 (June 26, 2012 report from the Finance Director).

17. Subject: May 2012 Investment Report (260.02)

Recommendation: That Council accept the May 2012 Investment Report.

Action: Approved the recommendation (June 26, 2012 report from the Finance Director).

NOTICES

18. The City Clerk has on Thursday, June 21, 2012, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

POLICE DEPARTMENT

19. Subject: Police Department Update (520.04)

Recommendation: That Council receive an oral presentation from the Police Chief regarding the Santa Barbara Police Department.

Documents:

- June 26, 2012 report from the Chief of Police.
- June 26, 2012 PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Chief of Police Camerino Sanchez.
- Members of the Public: Naomi Greene.

By consensus, the Council received the status report.

PUBLIC WORKS DEPARTMENT

20. Subject: Hearing To Vacate The Portion Of Ealand Place Most Severely Damaged By The Conejo Area Landslide (640.04)

Recommendation: That Council:

- A. Hear all persons interested in or objecting to the proposed non-summary vacation and abandonment of the portion of Ealand Place most severely damaged by the Conejo area landslide; and
- B. Find that the subject portion of Ealand Place is not necessary for present or prospective public street purposes, and that it is in the public interest to vacate the subject portion of Ealand Place, and adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara, California, Ordering the Non-Summary Vacation and Abandonment of the Portion of Ealand Place Most Severely Damaged by the Conejo Area Landslide Within the City Limits of Said City, and Providing for the Recordation of This Resolution.

Documents:

- June 26, 2012 report from the Public Works Director.
- Proposed Resolution.
- Affidavit of Publication.
- June 26, 2012 PowerPoint presentation prepared and made by Staff.
- June 26, 2012 document submitted by Joseph Liebman.

The title of the resolution was read.

Public Comment Opened:

2:54 p.m.

Speakers:

- Staff: Assistant Public Works Director/City Engineer Pat Kelly, City Attorney Stephen P. Wiley.
- Members of the Public: Joseph Liebman, Blanche Tobin.

Public Comment Closed:

3:00 p.m.

Motion:

Councilmembers Francisco/House to approve Recommendation B; Resolution No. 12-048.

Vote:

Majority roll call vote (Noes: Councilmembers Murillo, White, Mayor Schneider).

PUBLIC HEARINGS

21. Subject: Appeal Of Planning Commission Decision For 1085 Coast Village Road (640.07)

Recommendation: That Council:

- A. Hear the appeal of Douglas Fell and amend the Planning Commission's approval of the proposed Coastal Development Permit, Conditional Use Permit for Automobile Service Station with mini-market, Conditional Use Permit for a Carwash and Auto Detail operation, and a Modification located at 1085 Coast Village Road; and
- B. Uphold the appeal, and approve the project, making the findings and with the conditions as outlined in Planning Commission Resolution No. 006-12, deleting Condition D.2.b.

Documents:

- June 26, 2012 report from the Community Development Director.
- Affidavit of publication.
- June 26, 2012 PowerPoint presentation prepared and made by Staff.

Councilmember White stated that he had a potential conflict of interest and left the meeting at 3:34 p.m.

Public Comment Opened:
3:34 p.m.

Speakers:

- Staff: Assistant Planner Suzanne Riegle.
- Appellant: Douglas Fell.
- Planning Commission: Commissioners Stella Larson, Sheila Lodge.
- Members of the Public: Louise Boucher.

Public Comment Closed:
4:07 p.m.

Motion:

Councilmembers Hotchkiss/Rowse to approve Recommendation B.

Vote:

Majority voice vote (Noes: Councilmember Murillo; Abstention: Councilmember White).

RECESS: 4:18 – 4:29 p.m.

MAYOR AND COUNCIL REPORTS

22. Subject: Appointments To City Advisory Groups (140.05)

Recommendation: That Council make appointments to the City's Advisory Groups.

Documents:

June 26, 2012 report from the Assistant City Administrator.

Central Coast Commission for Senior Citizens:

Motion:

Councilmembers House/Hotchkiss to appoint Brenda Collins Powell.

Vote:

Unanimous voice vote.

Appointment:

Brenda Collins Powell was appointed for a term ending June 30, 2013.

Community Development and Human Services Committee:

Nominees:

Jacqueline Duran, Dale Fathe-Aazam, Steven B. Faulstich.

Vote:

- For Jacqueline Duran: Councilmembers Francisco and Rowse.
- For Dale Fathe-Aazam: Councilmember Hotchkiss.
- For Steven B. Faulstich: Councilmembers House, Murillo, White and Mayor Schneider.

Appointment:

Steven B. Faulstich was appointed to the Housing Interests category for a term ending December 31, 2013.

Community Events & Festivals Committee:

Motion:

Mayor Schneider/Councilmember Francisco to appoint Laura McIver to the Business/Lodging/Retail Industry category.

Vote:

Unanimous voice vote.

Nominees:

Rebekah Altman, Robert W. Burnham, Charles Huff.

(Cont'd)

22. (Cont'd)

Vote:

- For Rebekah Altman: Councilmembers Francisco, Hotchkiss, House, Murillo, White and Mayor Schneider.
- For Charles Huff: Councilmember Rowse.

Appointments:

Laura McIver was appointed to the Business/Lodging/Retail Industry category for a term ending December 31, 2015 and Rebekah Altman was reappointed to the Public at Large category for a term ending December 31, 2014.

Fire and Police Pension Commission:

Motion:

Councilmembers House/Francisco to appoint Luis Esparza.

Vote:

Unanimous voice vote.

Appointment:

Luis Esparza was appointed to the Qualified Elector category for a term ending December 31, 2014.

Housing Authority Commission:

Nominees:

Robert Burke, Geoff Green.

Vote:

- For Robert Burke: Councilmember Rowse.
- For Geoff Green: Councilmembers Francisco, House, Murillo, Rowse, White and Mayor Schneider.

Motion:

Councilmembers Murillo/Francisco to appoint Mary Johnston.

Vote:

Unanimous voice vote.

Appointments:

Geoff Green was reappointed to the Public at Large, County category for a term ending September 14, 2016 and Mary Johnston was reappointed to the Tenant, City category for a term ending June 30, 2014.

(Cont'd)

22. (Cont'd)

Library Board:

Nominees:

Jonathan R. Glasoe, Christine Roberts, Patricia E. Ruth.

Vote:

- For Jonathan R. Glasoe: Councilmembers Hotchkiss, Murillo, White and Mayor Schneider.
- For Christine Roberts: Councilmembers Francisco, Hotchkiss, House, Murillo, Rowse, White and Mayor Schneider.
- For Patricia E. Ruth: Councilmembers Francisco, House and Rowse.

Appointments:

Jonathan R. Glasoe was appointed and Christine Roberts was reappointed for terms ending December 31, 2015.

Measure P Committee:

Motion:

Councilmembers White/Francisco to appoint Luis Esparza.

Vote:

Unanimous voice vote.

Appointment:

Luis Esparza was reappointed as the Civil Liberties Advocate for a term ending December 31, 2012.

Neighborhood Advisory Council:

Nominees:

Ed Cavazos, Joseph A. Rution.

Vote:

- For Ed Cavazos: Councilmembers House, Murillo and Mayor Schneider.
- For Joseph A. Rution: Councilmembers Francisco, Hotchkiss, Rowse and White.

Nominees:

Ed Cavazos, Mari G. Mender.

(Cont'd)

22. (Cont'd)

Vote:

- For Ed Cavazos: Councilmembers House, Murillo, White and Mayor Schneider.
- For Mari G. Mender: Councilmembers Francisco, Hotchkiss and Rowse.

Appointments:

Ed Cavazos was appointed to the Public at Large category for a term expiring December 31, 2015 and Joseph A. Rution was appointed as the Laguna Neighborhood Representative for a term ending December 31, 2014.

Parks and Recreation Commission:

Nominees:

Megan Alley, Christina Nicole Gonzalez, Charles Huff, Charmaine Curtis Jacobs.

Vote:

- For Megan Alley: Councilmembers Francisco, Hotchkiss, House, Murillo and Mayor Schneider.
- For Christina Nicole Gonzalez: Councilmembers House, Murillo and White.
- For Charles Huff: Councilmembers Francisco, Hotchkiss and Rowse.
- For Charmaine Curtis Jacobs: Councilmembers Rowse, White and Mayor Schneider.

Second Vote:

- For Christina Nicole Gonzalez: Councilmembers House and Murillo.
- For Charles Huff: Councilmembers Francisco, Hotchkiss and Rowse.
- For Charmaine Curtis Jacobs: Councilmember White and Mayor Schneider.

Third Vote:

- For Christina Nicole Gonzalez: Councilmembers House, Murillo, White and Mayor Schneider.
- For Charles Huff: Councilmembers Francisco, Hotchkiss and Rowse.

Appointments:

Megan Alley and Christina Nicole Gonzalez were appointed as Qualified Electors for terms ending December 31, 2012.

(Cont'd)

22. (Cont'd)

Rental Housing Mediation Task Force:

Motion:

Councilmembers House/White to appoint Silvio Di Loreto, Jacqueline Duran and Charles V. Eckert III.

Vote:

Unanimous voice vote.

Appointment:

Silvio Di Loreto was reappointed to the Landlord category for a term ending December 31, 2015; and Jacqueline Duran and Charles V. Eckert III were appointed to the Landlord category for terms ending December 31, 2012.

Santa Barbara Youth Council:

Nominees:

Rocio Pacheco Garcia, Amber Rowley, Sami Soto, Naomi Zamudio.

Vote:

- For Rocio Pacheco Garcia: Councilmembers Francisco, Hotchkiss, and Rowse.
- For Amber Rowley: Councilmembers House, Murillo, White and Mayor Schneider.
- For Sami Soto: Councilmembers Francisco, Hotchkiss, House, Murillo, Rowse, White and Mayor Schneider.
- For Naomi Zamudio: Councilmembers Francisco, Hotchkiss, House, Murillo, Rowse, White and Mayor Schneider.

Appointments:

Amber Rowley, Sami Soto and Naomi Zamudio were appointed to the Student category for terms ending June 30, 2014.

Single Family Design Board:

Motion:

Councilmembers House/Hotchkiss to appoint Lisa James and Jaime Pierce.

Vote:

Unanimous voice vote.

(Cont'd)

22. (Cont'd)

Appointment:

Lisa James was appointed in the Professional Qualifications category for a term ending June 30, 2015, and Jaime Pierce was appointed in the Licensed Landscape Architect category for a term ending June 30, 2016.

Transportation and Circulation Committee:

Nominees:

Robert Burnham, Daniel Ramirez and Kathleen Rodriguez.

Vote:

- For Robert Burnham: Councilmembers Francisco, Hotchkiss, and Rowse
- For Daniel Ramirez: Councilmember Murillo.
- For Kathleen Rodriguez: Councilmembers House, White and Mayor Schneider.

Second Vote:

- For Robert Burnham: Councilmembers Francisco, Hotchkiss, and Rowse.
- For Kathleen Rodriguez: Councilmembers House, Murillo White and Mayor Schneider.

Appointment:

Kathleen Rodriguez was appointed to the Qualified Electory category for a term ending December 31, 2014.

Water Commission:

Nominees:

Megan Birney, Gabe Dominocielo.

Vote:

- For Megan Birney: Councilmembers House, Murillo, White and Mayor Schneider.
- For Gabe Dominocielo: Councilmembers Francisco, Hotchkiss, and Rowse.

Appointment:

Megan Birney was appointed to the Qualified Electory category for a term ending December 31, 2015.

COUNCIL AND STAFF COMMUNICATIONS

Jill Zachary, Assistant Parks and Recreation Director, provided an update on how the City is addressing the foul odor that is emanating from the Bird Refuge.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember White reported on a current Planning Commission meeting.
- Councilmember Rowse provided an update on a recent Airport Commission meeting.
- Councilmembers Hotchkiss and House spoke regarding a recent Conference & Visitors Bureau (CVB) Board meeting.
- Councilmember Murillo spoke regarding a meeting she attended of the West Beach Lower Chapala residents, the Child Abuse Listening Mediation (CALM) Open House, and the Mariachi Festival Scholarship fundraising dinner that she had attended.
- Mayor Schneider spoke regarding her attendance and testimony at the County of Santa Barbara Board of Supervisor's budget hearing and about a ceremony commending those who successfully saved a man who was having a cardiac arrest.
- Councilmember House provided an update on the South Coast Homeless Advisory Group and commended the organizers of the Solstice Parade and Festival.

RECESS

Mayor Schneider recessed the meeting at 4:51 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 23, and said that no reportable action is anticipated.

CLOSED SESSIONS

23. Subject: Conference With Labor Negotiator (440.05)
Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the City's General bargaining unit and the Police Management Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

June 26, 2012 report from the Assistant City Administrator.

Time:

4:55 p.m. – 5:20 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:20 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

| | |
|------------------|-----------------------------|
| _____ | ATTEST: _____ |
| HELENE SCHNEIDER | GWEN PEIRCE, CMC |
| MAYOR | CITY CLERK SERVICES MANAGER |



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING July 3, 2012 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee and Ordinance Committee, which ordinarily meet at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse, Mayor Schneider.

Councilmembers absent: Dale Francisco, Bendy White.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Sarah Fox.

CEREMONIAL ITEMS

1. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through July 31, 2012.

Documents:

July 3, 2012, report from the Assistant City Administrator/Administrative Services Director.

Speakers:

Staff: City Administrator James Armstrong, Heavy Equipment Technician Matt Grul.

1. (Cont'd)

By consensus, the Council approved the recommendation, and the following employees were recognized:

5 YEARS

Yesenia Gomez, Administrative Specialist, Administrative Services
Margaret Burbank, Redevelopment Specialist, Community Development Department
Daniel Gullett, Associate Planner, Community Development Department
Brian D'Amour, Supervising Engineer, Public Works Department
Jose Zarate, Streets Maintenance Worker I, Public Works Department
James Dewey, Facilities & Energy Manager, Public Works Department
Robert Benson, Creeks Restoration/Clean Water Manager, Parks & Recreation
Department

10 YEARS

Michael Berman, Project Planner, Community Development Department

15 YEARS

Robert Kendall, Fire Engineer, Fire Department
Robert Oshiro, Fire Engineer, Fire Department
Joseph Tieso, Fire Captain, Fire Department
Robin Hamlin, Administrative Assistant, Public Works Department
Stephen Corral, Treatment Plant Technician, Public Works Department

25 YEARS

Jose Yanez, Accounting Assistant, Finance Department

30 YEARS

Barbara Barker, Human Resources Manager, Administrative Services

PUBLIC COMMENT

Speakers: Stephen Meade, Summer Solstice Board of Directors Vice President;
Rebecca Neal; k8longstory.

ITEM REMOVED FROM THE CONSENT CALENDAR

4. Subject: Approve Local Share Of Funding For Bicycle Transportation Account (530.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Certifying that the City Will Make the Required Ten Percent Local Share of Funding Available for the Cacique Bicycle and Pedestrian Bridge Replacement Project, Should a Bicycle Transportation Account Award be Made in the Year 2012.

Documents:

- July 3, 2012, report from the Public Works Director.
- Proposed resolution.
-

The title of the resolution was read.

Speakers:

Staff: Transportation Manager Browning Allen, City Administrator James Armstrong

Motion:

Councilmembers House/Murillo to approve the recommendation; Resolution No. 12-051.

Vote:

Majority roll call vote (Noes: Councilmember Hotchkiss; Absent: Councilmembers Francisco, White).

CONSENT CALENDAR (Item Nos. 2, 3 and 5 - 17)

The titles of the ordinance and resolutions related to Consent Calendar items were read.

Motion:

Councilmembers House/Murillo to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote (Absent: Councilmembers Francisco, White).

2. Subject: Records Destruction For Police Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Police Department in the Administrative Services, Patrol, and Chief's Staff Divisions.

Action: Approved the recommendation; Resolution No. 12-049 (July 3, 2012, report from the Chief of Police; proposed resolution).

3. Subject: Records Destruction For Fire Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Fire Department in the Administration Division.

Action: Approved the recommendation; Resolution No. 12-050 (July 3, 2012, report from the Fire Chief; proposed resolution).

5. Subject: Approval Of Consulting Services For Sewer Maintenance And Operations Training For Wastewater Collection Field Crews (540.13)

Recommendation: That Council authorize the Public Works Director to execute a professional services agreement with Tilson & Associates, LLC, in an amount not to exceed \$59,268, for onsite sewer system operation and maintenance training services.

Action: Approved the recommendation; Agreement No. 24,185 (July 3, 2012, report from the Public Works Director).

6. Subject: Approve Sole Source Purchasing Request For Parking Revenue Control Equipment And Parts (550.01)

Recommendation: That Council waive compliance with formal bid procedure pursuant to Santa Barbara Municipal Code section 4.52.070(K) and authorize the sole source purchase of Skidata, Inc., parking revenue control equipment and parts from Sentry Control Systems, for a period of five years, and authorize a contract with Sentry Control Systems to provide equipment services for the five-year period.

Action: Approved the recommendation; Contract No. 24,186 (July 3, 2012, report from the Public Works Director).

7. Subject: Approve Waiver Of Formal Competition Requirement For Asphalt Vendors For Street Repairs (530.04)

Recommendation: That Council find it in the City's best interest to waive formal competitive bid requirements for asphalt sources for street maintenance and repair and authorize the General Services Manager to issue purchase orders to two vendors for asphalt, Vulcan Materials Company and Granite Construction, in a combined amount not to exceed \$90,000 for Fiscal Year 2013, and for up to four additional fiscal years in combined amounts not to exceed the amount set aside for this purpose in the budget adopted by Council for each fiscal year.

Action: Approved the recommendation (July 3, 2012, report from the Public Works Director).

8. Subject: Measure A Cooperative Work Agreement (150.03)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a cooperative work agreement between the City of Santa Barbara and the Santa Barbara County Association of Governments (SBCAG);
- B. Accept Measure A South Coast Bicycle and Pedestrian Program funding in the total amount of \$96,000 for the Goleta Slough Bridge Repair Project; and
- C. Increase of estimated revenues and appropriations in the Fiscal Year 2013 Streets Capital Fund by \$96,000 for the Goleta Slough Bridge Repair Project.

Action: Approved the recommendations; Agreement No. 24,187 (July 3, 2012, report from the Public Works Director).

9. Subject: Increase In Construction Change Order Authority For Ortega Groundwater Treatment Plant Rehabilitation And Improvements Project (540.10)

Recommendation: That Council:

- A. Authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work associated with unforeseen soils contamination for the Ortega Groundwater Treatment Plant Rehabilitation and Improvements Project, Contract No. 23,863 with PCL Construction, Inc., in the amount of \$141,623 for a total expenditure authority of \$640,027; and
- B. Authorize an increase in the Public Works Director's Extra Services Authority to approve expenditures for extra work associated with unforeseen soils contamination for the Ortega Groundwater Treatment Plant Rehabilitation and Improvements Project, Contract No. 23,865 with Penfield & Smith in the amount of \$172,108.11 for a total expenditure authority of \$235,166.11.

Action: Approved the recommendations (July 3, 2012, report from the Public Works Director).

10. Subject: Grant Agreement With South Coast Community Media Access Center (510.04)

Recommendation: That Council authorize the Finance Director to execute a grant agreement, in a form acceptable to the City Attorney, with the South Coast Community Media Access Center for management of the public and educational access television channels in an amount of \$288,800 plus an amount not to exceed \$32,659 for capital equipment, covering the period from July 1, 2012 to June 30, 2013.

Action: Approved the recommendation; Agreement No. 24,188 (July 3, 2012, report from the Finance Director).

11. Subject: Agreements For Afterschool Recreation Programs (570.06)

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to enter into two agreements with the Santa Barbara Unified School District (SBUSD) for the Recreation Afterschool Program (RAP) and Afterschool Opportunities for Kids (A-OK) program;
- B. Authorize the Parks and Recreation Director to enter into an agreement with the SBUSD and Santa Barbara Police Activities League (PAL) for the Junior High Afterschool Sports Program;
- C. Decrease Miscellaneous Grants Fund appropriations and estimated revenues in the Parks and Recreation Department by \$77,935; and
- D. Increase General Fund appropriations and estimated revenues in the Parks and Recreation Department by \$1,827.

Action: Approved the recommendations; Agreement Nos. 24,189 - 24,191 (July 3, 2012, report from the Parks and Recreation Director).

12. Subject: Lease Agreements For The Westside Neighborhood Center And The Louise Lowry Davis Center (330.04)

Recommendation: That Council authorize the Parks and Recreation Director to execute annual lease agreements with various non-profit entities at the Westside Neighborhood Center and the Louise Lowry Davis Center.

Action: Approved the recommendation; Agreement Nos. 24,192 - 24,196 (July 3, 2012, report from the Parks and Recreation Director).

13. Subject: Santa Barbara Zoological Gardens Lease (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Thirty-Five-Year Lease Agreement With A Fifteen-Year Lease Option, Between the City of Santa Barbara and the Santa Barbara Zoological Gardens Foundation for Continued Lease of the Property Being Operated as the Santa Barbara Zoological Gardens, Commonly Known as the Santa Barbara Zoo.

Speakers:

- Staff: Parks and Recreation Director Nancy Rapp.
- Members of the Public: Rich Block, Santa Barbara Zoo Chief Executive Officer; Carl Straub.

Action: Approved the recommendation (July 3, 2012, report from the Parks and Recreation Director; proposed ordinance).

14. Subject: Proposed FY 2013 Airline Rates And Charges For New Terminal (560.01)

Recommendation: That Council approve airline rates and charges for the new Airline Terminal including an annual Airline Terminal building space square footage rate of \$85; a boarding bridge fee of \$65 per turn; and landing fee of \$3.40 per thousand pounds of gross landed weight effective July 1, 2012 through June 30, 2013.

Action: Approved the recommendation (July 3, 2012, report from the Airport Director).

15. Subject: Acceptance Of Federal Aviation Administration Airport Improvement Program Grant Offer For Santa Barbara Airport (560.04)

Recommendation: That Council accept and authorize the Airport Director to execute, on behalf of the City, a FAA Grant offer in an amount not to exceed \$2,800,000 in Airport Improvement Program funds. The funds will be used for the Airport Terminal Improvement project, Phase V and the rehabilitation of Taxiways C, H, and J, Phase I.

Action: Approved the recommendation (July 3, 2012, report from the Airport Director).

NOTICES

16. The City Clerk has on Thursday, June 28, 2012, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

17. Cancellation of the regular City Council meeting of July 10, 2012.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

18. Subject: Participation In Nextdoor Neighborhood Website (180.02)

Recommendation: That Council approve the City's participation in the Nextdoor neighborhood website to help the City communicate with residents on neighborhood issues, services and activities.

Documents:

- July 3, 2012, report from the City Administrator.
- July 3, 2012, PowerPoint presentation prepared and made by Staff.

(Cont'd)

18. (Cont'd)

Speakers:

- Staff: Assistant to the City Administrator Nina Johnson, City Administrator James Armstrong, Outreach Supervisor Mark Alvarado.
- Members of the Public: Justine Finwick, Senior City Strategist for Nextdoor; Mari Mender.

Motion:

Councilmembers House/Hotchkiss to approve the recommendation.

Vote:

Unanimous voice vote (Absent: Councilmembers Francisco, White).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

Councilmember Murillo reported on her attendance at the Willbridge one-year anniversary, the community event marking the reopening of the Central Library on Mondays and the Ensemble Theatre New Vic groundbreaking ceremony.

RECESS

Mayor Schneider recessed the meeting at 3:35 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 19; she stated that no reportable action is anticipated.

CLOSED SESSIONS

19. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the City's General bargaining unit, the Police Management Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Document:

July 3, 2012, report from the Assistant City Administrator/Administrative Services Director.

Time:

3:40 p.m. – 4:05 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:05 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

| | |
|------------------|-------------------|
| _____ | ATTEST: _____ |
| HELENE SCHNEIDER | SARAH FOX |
| MAYOR | DEPUTY CITY CLERK |



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: City Clerk's Office, Administrative Services Department

SUBJECT: Certification Of The Election Results Of The Official Canvass For The Special Municipal Election Of June 5, 2012

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Certifying the Election Results of the Official Canvass for the Special Municipal Election Held in the City on June 5, 2012.

DISCUSSION:

The Special Municipal Election of Tuesday, June 5, 2012 was consolidated with the Statewide Primary Election conducted by Santa Barbara County. The Special Election was held to submit Measure Y, a ballot proposition requesting voters to approve or reject the construction of a public road and bridge on undeveloped parkland for a housing development known as Veronica Meadows. The voters did not pass Measure Y.

The Certification of Election Results of the Official Canvass from the Santa Barbara County Clerk, Recorder and Assessor & Registrar of Voters is an exhibit to the Resolution.

PREPARED BY: Gwen Peirce, City Clerk Services Manager

SUBMITTED BY: Marcelo A. López, Assistant City Administrator

APPROVED BY: City Administrator's Office

RESOLUTION NO. ____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA CERTIFYING THE ELECTION
RESULTS OF THE OFFICIAL CANVASS FOR THE
SPECIAL MUNICIPAL ELECTION HELD IN THE CITY ON
JUNE 5, 2012

WHEREAS, on Tuesday, June 5, 2012, a Special Municipal Election was held in the City of Santa Barbara to submit Measure Y to the voters;

WHEREAS, by its Resolution No. 12-011, adopted on February 14, 2012, the City Council requested the Board of Supervisors of the County of Santa Barbara to consolidate the Special Municipal Election with the Statewide Primary Election;

WHEREAS, the Special Municipal Election was consolidated with the Statewide Primary Election on June 5, 2012; and

WHEREAS, the County Clerk, Recorder and Assessor & Registrar of Voters of the County of Santa Barbara has completed a canvass of election results and submitted to the City the Certification of Election Results of the Official Canvass.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The City Council does hereby certify the Election Results of the Official Canvass of the Special Municipal Election consolidated with the Statewide Primary Election held in the City of Santa Barbara on Tuesday, June 5, 2012, as shown on the attached Certification of Election Results of the Official Canvass, dated June 28, 2012, and marked as "Exhibit."

SECTION 2. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

EXHIBIT

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Clerk, Recorder and
Assessor
Department No.: 062
For Agenda Of: 7/10/2012
Placement: Administrative
Estimate Time: .05
Continued Item: NO
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s) Joseph E. Holland, Clerk, Recorder and Assessor
Contact Info: Renee Bischof, Chief Deputy Registrar of Voters, 696-8953

SUBJECT: Certification of the June 5, 2012 Presidential Primary Election

County Counsel Concurrence:

As to form: ☐ Yes ☐ No ☒ N/A

Other Concurrence: N/A

As to form: ☐ Yes ☐ No ☒ N/A

Auditor-Controller Concurrence:

As to form: ☐ Yes ☐ No ☒ N/A

Recommended Action(s):

That the Board of Supervisors accept and file the Certification of Results for the Presidential Primary Election held on June 5, 2012, as required by law.

Summary:

The results of the June 5, 2012 Presidential Primary Election were certified on June 28, 2012. Elections Code § 15372 requires the Registrar of Voters to prepare a certified statement of the results of the election and submit it to the governing body within 28 days of the election. An official Certificate of Election Results of the Official Canvass (Attachment A) and an Official Election Summary are attached (Attachment B). The Statement of Votes Cast by precinct for the election is available on the Clerk, Recorder and Assessor & Registrar of Voters website at SBCVOTE.com.

Election Code § 15400 requires that the governing body declare elected to each office voted on at the election the person having the highest number of votes for that office or who was elected or nominated under the exceptions noted in Section 15452. The governing board shall also declare the results of the election for each measure under its jurisdiction.

Elections Code § 15620 allows any voter, within five days of the certification date, to file a request for recount with the county elections official of the votes cast candidates for any office, or any measure provided that the office or measure is not voted on statewide. The request must be filed no later than Tuesday, July 3, 2012.

Certification of the June 5, 2012 Presidential Primary Election

7/10/2012

Page 2 of 2

Elections Code § 15621 allows any voter within five days beginning the 29th day after a statewide election to file with the Secretary of State a request for a recount of votes cast for candidates for any statewide office or any proposition voted on statewide.

Fiscal and Facilities Impacts:

Budgeted: ☒ Yes ☐ No

Legal Positions:

FTEs:

Special Instructions:

Please forward a copy of the minute order to the Santa Barbara Elections Office.

Attachments:

Attachment A: Certificate of Election Results

Attachment B: Official Election Summary

Authored by: Hector Gonzalez-Loera

cc: Joe Holland
 Jim McClure
 Renee Bischof
 Billie Alvarez

**CERTIFICATION OF ELECTION
RESULTS OF THE OFFICIAL CANVASS**


STATE OF CALIFORNIA)
) **SS.**
COUNTY OF SANTA BARBARA)

*I, Joseph E. Holland, County Clerk, Recorder and Assessor & Registrar of Voters
for Santa Barbara County, do hereby certify:*

*That the foregoing is a full, true and correct statement of the results of the official
canvass of the returns of the June 5, 2012 Presidential Primary Election as directed by
Sections 15372 and 15400 of the California Elections Code.*

IN WITNESS WHEREOF, I hereunto set my
hand and affix the official seal at Santa Barbara,
California this 28th day of June, 2012.





Joseph E. Holland
County Clerk, Recorder and Assessor
& Registrar of Voters

Santa Barbara County
Presidential Primary Election
June 5, 2012
Certified Results

Date:06/28/12
Time:11:03:35
Page:1 of 6

Registered Voters 191061 - Cards Cast 85435 44.72%

Num. Report Precinct 264 - Num. Reporting 264 100.00%

| PRESIDENT OF THE US DEM | DEM | | | |
|-------------------------|---------|-------|-------|---------|
| | Polling | VBM | Total | |
| Number of Precincts | 264 | 0 | 264 | |
| Precincts Reporting | 264 | 0 | 264 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 11503 | 23740 | 35243 | |
| BARACK OBAMA | 10868 | 22261 | 33129 | 94.00% |

| PRESIDENT OF THE US REP | REP | | | |
|-------------------------|---------|-------|-------|---------|
| | Polling | VBM | Total | |
| Number of Precincts | 264 | 0 | 264 | |
| Precincts Reporting | 264 | 0 | 264 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 9547 | 23647 | 33194 | |
| MITT ROMNEY | 7288 | 18794 | 26082 | 78.57% |
| RON PAUL | 1062 | 2089 | 3151 | 9.49% |
| RICK SANTORUM | 577 | 1226 | 1803 | 5.43% |
| NEWT GINGRICH | 410 | 946 | 1356 | 4.09% |
| CHARLES ROEMER | 40 | 126 | 166 | 0.50% |
| FRED KARGER | 36 | 84 | 120 | 0.36% |

| PRESIDENT OF THE US AI | AI | | | |
|------------------------|---------|-----|-------|---------|
| | Polling | VBM | Total | |
| Number of Precincts | 264 | 0 | 264 | |
| Precincts Reporting | 264 | 0 | 264 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 365 | 619 | 984 | |
| EDWARD C. NOONAN | 83 | 90 | 173 | 17.58% |
| LAURIE ROTH | 66 | 94 | 160 | 16.26% |
| MAD MAX RIEKSE | 46 | 59 | 105 | 10.67% |

| PRESIDENT OF THE US GRN | GRN | | | |
|-------------------------|---------|-----|-------|---------|
| | Polling | VBM | Total | |
| Number of Precincts | 264 | 0 | 264 | |
| Precincts Reporting | 264 | 0 | 264 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 147 | 242 | 389 | |
| JILL STEIN | 46 | 92 | 138 | 35.48% |
| ROSEANNE BARR | 68 | 67 | 135 | 34.70% |
| KENT MESPLAY | 11 | 19 | 30 | 7.71% |

Santa Barbara County
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Registered Voters 191061 - Cards Cast 85435 44.72% Num. Report Precinct 264 - Num. Reporting 264 100.00%

| PRESIDENT OF THE US LIB | LIB | | | |
|-------------------------|---------|-----|-------|---------|
| | Polling | VBM | Total | |
| Number of Precincts | 264 | 0 | 264 | |
| Precincts Reporting | 264 | 0 | 264 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 98 | 160 | 258 | |
| GARY JOHNSON | 41 | 62 | 103 | 39.92% |
| BARBARA JOY WAYMIRE | 15 | 14 | 29 | 11.24% |
| SCOTT KELLER | 7 | 7 | 14 | 5.43% |
| ROGER GARY | 5 | 7 | 12 | 4.65% |
| R. J. HARRIS | 3 | 6 | 9 | 3.49% |
| BILL STILL | 4 | 3 | 7 | 2.71% |
| CARL PERSON | 1 | 6 | 7 | 2.71% |
| JAMES OGLE | 4 | 2 | 6 | 2.33% |
| LEE WRIGHTS | 2 | 3 | 5 | 1.94% |

| PRESIDENT OF THE US PF | PF | | | |
|------------------------|---------|-----|-------|---------|
| | Polling | VBM | Total | |
| Number of Precincts | 264 | 0 | 264 | |
| Precincts Reporting | 264 | 0 | 264 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 25 | 41 | 66 | |
| ROSS ANDERSON | 10 | 8 | 18 | 27.27% |
| STEPHEN DURHAM | 5 | 9 | 14 | 21.21% |
| STEWART ALEXANDER | 5 | 4 | 9 | 13.64% |

| DEMOCRATIC COUNTY COMMITTEE 1ST SUP DIST DEM | DEM | | | |
|--|---------|-------|-------|---------|
| | Polling | VBM | Total | |
| Number of Precincts | 54 | 0 | 54 | |
| Precincts Reporting | 54 | 0 | 54 | 100.0 % |
| Vote For | 5 | 5 | 5 | |
| Total Votes | 5423 | 13540 | 18963 | |
| DAVID PRITCHETT | 1127 | 2676 | 3803 | 20.05% |
| DARAKA LARIMORE-HALL | 972 | 2342 | 3314 | 17.48% |
| JOE ALLEN | 938 | 2270 | 3208 | 16.92% |
| BOB HANDY | 593 | 1739 | 2332 | 12.30% |
| OLIVIA URIBE | 651 | 1647 | 2298 | 12.12% |
| ROBERT BURKE | 560 | 1423 | 1983 | 10.46% |
| ED FRANCE | 570 | 1397 | 1967 | 10.37% |

Santa Barbara County
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Registered Voters 191061 - Cards Cast 85435 44.72% Num. Report Precinct 264 - Num. Reporting 264 100.00%

| UNITED STATES SENATOR | | | | |
|-----------------------|---------|-------|-------|---------|
| | Polling | VBM | Total | |
| Number of Precincts | 264 | 0 | 264 | |
| Precincts Reporting | 264 | 0 | 264 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 24132 | 55273 | 79405 | |
| DIANNE FEINSTEIN | 11510 | 27067 | 38577 | 48.58% |
| ELIZABETH EMKEN | 1967 | 5685 | 7652 | 9.64% |
| DAN HUGHES | 2256 | 4542 | 6798 | 8.56% |
| DENNIS JACKSON | 1239 | 2707 | 3946 | 4.97% |
| ORLY TAITZ | 856 | 1780 | 2636 | 3.32% |
| GREG CONLON | 646 | 1722 | 2368 | 2.98% |
| RICK WILLIAMS | 606 | 1514 | 2120 | 2.67% |
| DIANE STEWART | 752 | 1249 | 2001 | 2.52% |
| AL RAMIREZ | 575 | 1381 | 1956 | 2.46% |
| OSCAR BRAUN | 393 | 1277 | 1670 | 2.10% |
| GAIL K. LIGHTFOOT | 501 | 1047 | 1548 | 1.95% |
| MIKE STRIMLING | 472 | 990 | 1462 | 1.84% |
| DONALD KRAMPE | 466 | 941 | 1407 | 1.77% |
| MARSHA FEINLAND | 249 | 507 | 756 | 0.95% |
| DAVID ALEX LEVITT | 250 | 481 | 731 | 0.92% |
| NACHUM SHIFREN | 252 | 384 | 636 | 0.80% |
| NAK SHAH | 224 | 266 | 490 | 0.62% |
| ROBERT LAUTEN | 161 | 316 | 477 | 0.60% |
| COLLEEN SHEA FERNALD | 166 | 284 | 450 | 0.57% |
| DIRK ALLEN KONOPIK | 132 | 276 | 408 | 0.51% |
| JOHN BORUFF | 123 | 258 | 381 | 0.48% |
| DON J. GRUNDMANN | 100 | 246 | 346 | 0.44% |
| ROGELIO T. GLORIA | 75 | 94 | 169 | 0.21% |
| KABIRUDDIN KARIM ALI | 72 | 83 | 155 | 0.20% |

| U.S. REPRESENTATIVE 24TH DISTRICT | | | | |
|-----------------------------------|---------|-------|-------|---------|
| | Polling | VBM | Total | |
| Number of Precincts | 264 | 0 | 264 | |
| Precincts Reporting | 264 | 0 | 264 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 25349 | 58557 | 83906 | |
| LOIS CAPPS | 12703 | 27586 | 40289 | 48.02% |
| ABEL MALDONADO | 5218 | 17446 | 22664 | 27.01% |
| CHRIS MITCHUM | 6882 | 12350 | 19232 | 22.92% |
| MATT BOUTTE | 507 | 1108 | 1615 | 1.92% |

| STATE SENATOR 19TH DISTRICT | | | | |
|-----------------------------|---------|-------|-------|---------|
| | Polling | VBM | Total | |
| Number of Precincts | 264 | 0 | 264 | |
| Precincts Reporting | 264 | 0 | 264 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 25076 | 57834 | 82910 | |
| MIKE STOKER | 10983 | 27284 | 38267 | 46.15% |
| HANNAH-BETH JACKSON | 10889 | 22693 | 33582 | 40.50% |
| JASON T. HODGE | 3154 | 7786 | 10940 | 13.20% |

Santa Barbara County
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Registered Voters 191061 - Cards Cast 85435 44.72% Num. Report Precinct 264 - Num. Reporting 264 100.00%

STATE ASSEMBLY 35TH DISTRICT

| | Polling | VBM | Total | |
|---------------------|---------|-------|-------|---------|
| Number of Precincts | 103 | 0 | 103 | |
| Precincts Reporting | 103 | 0 | 103 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 8266 | 20208 | 28474 | |
| K.H. ACHADJIAN | 5491 | 13576 | 19067 | 66.96% |
| GERALD MANATA | 2744 | 6568 | 9312 | 32.70% |

STATE ASSEMBLY 37TH DISTRICT

| | Polling | VBM | Total | |
|---------------------|---------|-------|-------|---------|
| Number of Precincts | 161 | 0 | 161 | |
| Precincts Reporting | 161 | 0 | 161 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 16093 | 35956 | 52049 | |
| DAS WILLIAMS | 9955 | 20620 | 30575 | 58.74% |
| ROB WALTER | 6076 | 15258 | 21334 | 40.99% |

COUNTY BOARD OF SUPERVISORS 1ST DISTRICT

| | Polling | VBM | Total | |
|---------------------|---------|-------|-------|---------|
| Number of Precincts | 54 | 0 | 54 | |
| Precincts Reporting | 54 | 0 | 54 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 4820 | 12113 | 16933 | |
| SALUD CARBAJAL | 3696 | 9268 | 12964 | 76.56% |
| CAROLE LIEFF | 1103 | 2780 | 3883 | 22.93% |

COUNTY BOARD OF SUPERVISORS 3RD DISTRICT

| | Polling | VBM | Total | |
|---------------------|---------|------|-------|---------|
| Number of Precincts | 68 | 0 | 68 | |
| Precincts Reporting | 68 | 0 | 68 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 6004 | 9683 | 15687 | |
| DOREEN FARR | 3512 | 5050 | 8562 | 54.58% |
| STEVEN PAPPAS | 2465 | 4586 | 7051 | 44.95% |

COUNTY BOARD OF SUPERVISORS 4TH DISTRICT

| | Polling | VBM | Total | |
|---------------------|---------|-------|-------|---------|
| Number of Precincts | 52 | 0 | 52 | |
| Precincts Reporting | 52 | 0 | 52 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 4797 | 11582 | 16379 | |
| JONI GRAY | 1779 | 4626 | 6405 | 39.10% |
| PETER ADAM | 1866 | 4438 | 6304 | 38.49% |
| JOYCE HOWERTON | 1146 | 2505 | 3651 | 22.29% |

Santa Barbara County
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June 5, 2012
Certified Results

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Registered Voters 191061 - Cards Cast 85435 44.72% Num. Report Precinct 264 - Num. Reporting 264 100.00%

PROPOSITION 28 LIMITS ON LEGISLATOR'S TERMS OF OFFICE

| | Polling | VBM | Total | |
|---------------------|---------|-------|-------|---------|
| Number of Precincts | 264 | 0 | 264 | |
| Precincts Reporting | 264 | 0 | 264 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 24916 | 57307 | 82223 | |
| YES | 15175 | 37904 | 53079 | 64.55% |
| NO | 9741 | 19403 | 29144 | 35.45% |

PROPOSITION 29 ADDITIONAL TAX ON CIGARETTES

| | Polling | VBM | Total | |
|---------------------|---------|-------|-------|---------|
| Number of Precincts | 264 | 0 | 264 | |
| Precincts Reporting | 264 | 0 | 264 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 25439 | 58551 | 83990 | |
| YES | 13369 | 30844 | 44213 | 52.64% |
| NO | 12070 | 27707 | 39777 | 47.36% |

MEASURE V2012 ISSUANCE OF BONDS

| | Polling | VBM | Total | |
|---------------------|---------|------|-------|---------|
| Number of Precincts | 5 | 0 | 5 | |
| Precincts Reporting | 5 | 0 | 5 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 479 | 1184 | 1663 | |
| YES | 278 | 656 | 934 | 56.16% |
| NO | 201 | 528 | 729 | 43.84% |

MEASURE W2012 SPECIAL PARCEL TAX

| | Polling | VBM | Total | |
|---------------------|---------|-------|-------|---------|
| Number of Precincts | 120 | 0 | 120 | |
| Precincts Reporting | 120 | 0 | 120 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 13386 | 28780 | 42166 | |
| YES | 9100 | 18376 | 27476 | 65.16% |
| NO | 4286 | 10404 | 14690 | 34.84% |

MEASURE X2012 SPECIAL PARCEL TAX

| | Polling | VBM | Total | |
|---------------------|---------|-------|-------|---------|
| Number of Precincts | 47 | 0 | 47 | |
| Precincts Reporting | 47 | 0 | 47 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 5528 | 13077 | 18605 | |
| YES | 3793 | 8478 | 12271 | 65.96% |
| NO | 1735 | 4599 | 6334 | 34.04% |

Santa Barbara County
 Presidential Primary Election
 June 5, 2012
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Registered Voters 191061 - Cards Cast 85435 44.72% Num. Report Precinct 264 - Num. Reporting 264 100.00%

MEASURE Y2012 CONSTRUCTION OF PUBLIC ROAD BRIDGE

| | Polling | VBM | Total | |
|---------------------|---------|-------|-------|---------|
| Number of Precincts | 53 | 0 | 53 | |
| Precincts Reporting | 53 | 0 | 53 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 5675 | 13746 | 19421 | |
| NO | 3853 | 8965 | 12818 | 66.00% |
| YES | 1822 | 4781 | 6603 | 34.00% |

MEASURE U2012 1/4-CENT LOCAL SALESTAX

| | Polling | VBM | Total | |
|---------------------|---------|------|-------|---------|
| Number of Precincts | 31 | 0 | 31 | |
| Precincts Reporting | 31 | 0 | 31 | 100.0 % |
| Vote For | 1 | 1 | 1 | |
| Total Votes | 2930 | 7512 | 10442 | |
| YES | 1802 | 4876 | 6678 | 63.95% |
| NO | 1128 | 2636 | 3764 | 36.05% |

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A THIRTY-FIVE YEAR LEASE AGREEMENT WITH A FIFTEEN-YEAR LEASE OPTION, BETWEEN THE CITY OF SANTA BARBARA AND THE SANTA BARBARA ZOOLOGICAL GARDENS FOUNDATION FOR CONTINUED LEASE OF THE PROPERTY BEING OPERATED AS THE SANTA BARBARA ZOOLOGICAL GARDENS, COMMONLY KNOWN AS THE SANTA BARBARA ZOO

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, the lease agreement between the City of Santa Barbara and the Santa Barbara Zoological Gardens Foundation, attached hereto as Exhibit A, for the continued lease of the property being operated as the Santa Barbara Zoological Gardens, commonly known as the Santa Barbara Zoo, for a period of thirty-five years with one fifteen-year option, is hereby approved.

SECTION 2. The City Administrator is hereby authorized to execute the lease agreement between the City of Santa Barbara and the Santa Barbara Zoological Gardens Foundation attached hereto as Exhibit A.

**LEASE AGREEMENT
BETWEEN
THE CITY OF SANTA BARBARA
AND
SANTA BARBARA ZOOLOGICAL FOUNDATION
FOR THE DEVELOPMENT, MAINTENANCE, AND OPERATION OF
THE SANTA BARBARA ZOOLOGICAL GARDENS**

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List of Exhibits

Exhibit A - Premises Map

Exhibit B - Nondiscrimination Certificate

LEASE AGREEMENT

THIS LEASE AGREEMENT (the "Lease") is dated for reference purposes _____, 2012 and is effective as of the Effective Date by and between:

THE CITY OF SANTA BARBARA, a municipal corporation, hereinafter referred to as "City"; and

SANTA BARBARA ZOOLOGICAL FOUNDATION, a California non-profit public benefit corporation, hereinafter referred to as the "Foundation."

WITNESSETH

WHEREAS, the City of Santa Barbara owns certain real property formerly known as The Childs Estate in the City of Santa Barbara as shown on the map attached hereto as Exhibit A; and

WHEREAS, the Foundation has leased the real property depicted on the map attached hereto as Exhibit A since 1963 for the development and operation of an accredited zoological gardens and Regional Park, commonly known as the Santa Barbara Zoo (or the Santa Barbara Zoological Gardens), for the benefit, enjoyment, and education of the citizens of Santa Barbara and its visitors; and

WHEREAS, the primary objectives of the Foundation are to administer, develop, and maintain the zoological gardens and Regional Park in the interests of preservation and conservation of wildlife and natural resources for the continued benefit, enjoyment and education of the citizens of Santa Barbara and its visitors; and

WHEREAS, the Foundation continues its commitment to meet the high accreditation standards of the Association of Zoos & Aquariums while serving over 450,000 annual visitors from the community and tri-county area; and

WHEREAS, the Foundation, with the demonstrated financial support of the public, continues to develop the Regional Park pursuant to the Zoo Master Plan, to create an award-winning facility and operation for the benefit, enjoyment and education of the public; and

WHEREAS, the Foundation continues to contribute to the local economy through its operation, employment, and regional attendance; and

WHEREAS, the best interests of the City and the public will be served by the continued leasing of the Leased Premises to the Foundation for the operation of the zoological gardens as a Regional Park, and

WHEREAS, the City desires to see continued operation of the Santa Barbara Zoological Gardens for the benefit, enjoyment and education of the public.

NOW THEREFORE, the parties hereby mutually agree as follows:

I. DEFINITIONS

The following words have in this Lease the definition attached to them in this section unless otherwise apparent from the context.

“CITY” means City of Santa Barbara, a municipal corporation, its officers, members of the City Council, agents, employees and authorized representatives.

“CITY ADMINISTRATOR” means the City Administrator of the City of Santa Barbara or the Administrator’s designated representative.

“CITY COUNCIL” means the Council of the City of Santa Barbara.

“EFFECTIVE DATE” means the date on which the City ordinance approving the City’s execution of this Lease becomes effective pursuant to Section 514 of the Santa Barbara City Charter.

“EQUIPMENT” means Foundation’s equipment, furniture and moveable property placed in, on or upon the premises by Foundation, including trade fixtures.

“FIXTURES” means any personal property installed in, on or upon the premises by Foundation.

“FOUNDATION” means the Santa Barbara Zoological Foundation, a California non-profit public benefit corporation.

“IMPROVEMENTS” means any addition to or modification, alteration or betterment of the real property made by Foundation including, but not limited to, buildings, animal exhibits, driveways, sidewalks, sewers, utilities and other permanent structures.

“PARKS AND RECREATION DIRECTOR” means the Parks and Recreation Director of the City of Santa Barbara.

“REGIONAL PARK” means facilities defined as such pursuant to Section 28.37.030.A.9. of Chapter 28.37 of the Municipal Code of the City of Santa Barbara.

“ZOO” means the zoological gardens and Regional Park located on the Premises and commonly known as the Santa Barbara Zoo or the Santa Barbara Zoological Gardens.

“ZOO MASTER PLAN” means the Master Plan for the Zoo as approved by the City in 2006 and as amended from time to time prior to or after the Effective Date.

II. PREMISES

City leases to Foundation and Foundation leases from City, the real property located at 500 Niños Drive in the City of Santa Barbara as shown on the map and attached hereto as Exhibit A, hereinafter referred to as the “Premises”.

III. TERM

The initial term of this Lease is thirty five (35) years, commencing upon the Effective Date of the ordinance approving the City’s execution of this Lease (“Commencement Date”). Foundation

shall have the option to extend the term of this Lease for an additional fifteen (15) years subject to the same terms and conditions as set forth in this Lease and any amendments to this Lease that may have occurred prior to the exercise of said option. Foundation may exercise its option to extend the Lease term by sending written notice to City of Foundation's intent to extend the term of this Lease. The option to extend the term of this Lease shall expire if not exercised at least three (3) years prior expiration of the original term of this Lease.

IV. TITLE, CONDITION, AND RENT

4.01 Title to the Premises

Title to the leasehold of the Premises is conveyed by City to Foundation free and clear of all recorded liens, encumbrances, covenants, assessments, easements, leases and taxes, except as are consistent with this Lease.

4.02 Condition of Premises

Foundation accepts the condition of the Premises as is.

4.03 Rent

Foundation shall pay annually to City One Dollar (\$1.00) as rent for the Premises. The rental payment shall accompany the annual report required pursuant to Section 11.01 of this Lease.

V. USE

5.01 Approved Use

Foundation shall use the Premises for the development, operation, and maintenance of an accredited zoological gardens and Regional Park, commonly known as the Santa Barbara Zoo (Santa Barbara Zoological Gardens), for the benefit, enjoyment, and education of the citizens of Santa Barbara and its visitors.

5.02 Zoo Master Plan

Foundation shall operate and develop the Zoo in a manner consistent with the Zoo Master Plan, any currently valid approvals from the City (Planning Commission, Historic Landmarks Commission, Park and Recreation Commission, Council or any other City body from which an approval is necessary) as such approvals may be revised from time to time, and any future approvals related to new development. This provision is not intended to restrict the Foundation from developing and operating the Zoo in a manner consistent with the approved use described in Section 5.01.

5.03 Accreditation

In addition to operating and developing the Zoo in a manner consistent with the Zoo Master Plan, and any applicable City approvals, Foundation shall maintain (i) an accreditation with the Association of Zoos & Aquariums, or any successor to such organization (the "AZA"); and (ii) a current Exhibitor's Permit issued by the U.S. Department of Agriculture (the "USDA"). Foundation shall conduct its operations and shall maintain the Zoo facilities in accordance with the accreditation standards and shall comply with the facilities and operational standards and

requirements of both the AZA and the USDA, as such standards and requirements may be revised from time to time throughout the term of this Lease. If the AZA should cease operation without a successor, City and Foundation shall meet and confer regarding the selection of another appropriate accrediting agency. Any alternative accrediting agency shall be selected by mutual agreement of City and Foundation.

5.04 Additional Specific Allowed Uses

Consistent with Foundation's use of the Premises as an accredited zoological gardens and Regional Park, Foundation may use the Premises or portions thereof for any ancillary and compatible uses which are consistent with and complimentary to the operations of the zoological gardens and Regional Park, as reasonably determined by Foundation and in accordance with Chapter 28.37 of the City Municipal Code. Such additional uses shall include without limitation, making the Premises or portions thereof available for public or private events such as weddings, receptions, conferences, group meetings, fundraising activities (which are consistent with Foundation's nonprofit tax-exempt status), children's educational camps and programs, entertainment or musical events, events, programs and activities related to the Old Spanish Days in Santa Barbara Fiesta and other events, programs and activities. As part of Foundation's supplemental activities on the Premises, or as part of the regular food and beverage service provided on the Premises, Foundation may sell alcohol provided that any such alcohol sales or service is conducted with all necessary licenses. It is the intention of this section to be an enabling provision which permits the widest range of supplemental events and activities on the Premises which are determined by Foundation in its reasonable discretion to be consistent with and complimentary to the operations of the zoological gardens and Regional Park and in accordance with Chapter 28.37 of the City Municipal Code.

5.05 Rules and Regulations

Foundation shall conform to and abide by all laws, rules and regulations relative to the uses herein authorized, and shall be subject at all times to applicable laws, rules, regulations, resolutions, ordinances and statutes of the City of Santa Barbara, County of Santa Barbara, State of California, and the Federal Government. Where permits or licenses are required for the development or use authorized herein, such permits or licenses must be obtained by Foundation from the regulatory body having jurisdiction thereof before such use is undertaken.

5.06 Limitation on Use

Foundation may use or permit the use of the Premises in any manner that is consistent with the permitted uses set forth in Section 5.04 and a Regional Park. Foundation shall use reasonable good faith efforts to engage and permit such uses of the Premises in a manner that is reasonably calculated to minimize or avoid damage, waste or a nuisance, or unreasonable disturbance of owners or occupants of neighboring properties.

VI. OPERATION

6.01 Operating Costs

Foundation shall be responsible for all costs related to the operation of the Zoo including the personnel, supplies, and equipment necessary for the care of the animals and the maintenance and operation of the Premises.

6.02 Fees and Charges

Foundation may impose and collect fees and charges for entrance to and use of the zoo facilities and for any supplemental services provided, facilities rental fees and charges, food and beverage service and the sale of goods and services.

6.03 Concessions and Vending

Foundation may provide for the operation of retail concessions upon the Premises. Concessions may be operated by the Foundation's own employees or by contract.

All foods, beverages, confectionery, refreshments, or other items, sold or kept for sale shall conform in all respects to federal, state and municipal laws, ordinances and regulations. Foundation shall require all concessionaires operating under the Foundation's authority to obtain at their own expense any and all permits or licenses that may be required in connection with the operation of any concession.

Any concession agreement entered into by Foundation shall only be a license to provide services on the Premises and shall not constitute an interest in the real property of the Premises. Any and all concession agreements shall terminate upon Foundation's assignment of this Lease or other termination of Foundation's interest in the Premises, unless expressly assumed, in writing, by the Foundation's successor in interest.

6.04 Solicitation of Grants

Foundation shall be responsible for and shall have the right to solicit and receive grants, donations and gifts to fund the development, maintenance and operation of the Zoo. If not in conflict with other granting priorities of the City, at the reasonable request of Foundation, City shall endorse Foundation grant applications when required by a granting agency.

6.05 Exclusive Use of Funds

All monies received by Foundation for development, maintenance and operation of the Zoo shall be used exclusively for said purposes. All monies received by Foundation from the operation or use of the Zoo shall be committed to the development, maintenance and operation of the Zoo and no other use. No member of Foundation's Board of Directors shall receive any direct financial benefit from the use of such funds; provided, however, the Foundation may pay reasonable compensation for services rendered to the Foundation by a member of the Foundation's Board of Directors or by a firm that employs a member of the Foundation's Board of Directors.

6.06 Naming of Zoo Facilities

Notwithstanding the provisions of Chapter 22.48 of the Santa Barbara Municipal Code, Foundation shall have the right to name areas and facilities within the Premises pursuant to the request of persons or organizations who have made contributions towards the development of the Zoo.

6.07 Animals, Specimens, and Collections

All animals, specimens, and collections furnished by the Foundation shall remain the property of the Foundation and may, from time to time, be exchanged, sold, or otherwise disposed of as the Foundation may determine in its sole discretion.

6.08 Circulation and Parking

City and Foundation have shared mutual interests related to circulation and parking in the neighborhoods adjoining and in the vicinity of the Premises, East Beach and the Cabrillo Boulevard corridor. City acknowledges that from time to time Foundation staff and visitors may use the parking facilities located at Dwight Murphy Field and on the streets in the vicinity of the Premises. Foundation acknowledges that the parking facilities located at Dwight Murphy Field are primarily intended to serve park uses occurring at Dwight Murphy Field. Any use of the parking facilities at Dwight Murphy Field by employees or guests of the Zoo is secondary to the park uses and shall occur on a first-come, first-served basis without prior assignment or reservation. City and Foundation covenant and agree to cooperate with one another in connection with the circulation and parking issues associated with the Premises, East Beach and the Cabrillo Boulevard corridor.

VII. MAINTENANCE

7.01 Maintenance

Foundation, at its sole cost and expense, shall keep and maintain the Premises and all improvements, fixtures, equipment and utilities on the Premises in good order, condition and repair and in compliance with all applicable laws. City shall have the right to enter upon the Premises at any time, in the case of an emergency, and otherwise at reasonable times, for the purpose of inspecting the condition of the Premises and to conduct repairs as City may be required to perform under the provisions of this Lease.

7.02 Water Quality

Foundation shall comply with applicable laws regarding the quality of storm water, surface water, and ground water and any approved water quality plan.

7.03 Recycled Water Use

The City and the Foundation agree to a policy of designing and planning new projects and exhibits on the Premises to use recycled water for irrigation, toilet flushing, fountains, and other appropriate uses to the greatest extent practicable.

For the term of this Lease, Foundation shall comply with the Recycled Water User Agreement executed by the City and the Foundation, as such agreement may be amended from time to time.

VIII. TAXES AND UTILITIES

8.01 Taxes

Foundation shall pay, prior to delinquency, all taxes assessed against or levied upon the real property of the Premises or any personal property of Foundation located on the Premises. In addition, Foundation shall pay, prior to delinquency, any taxes related to the use or operation of the Premises including, but not limited to, any sales taxes related to retail sales conducted on the Premises.

8.02 Utilities

Foundation shall be responsible for the payment of charges incurred for all water, sewer, gas, electricity, telecommunications, trash disposal, to the extent applicable, and any other utilities and services supplied to the Premises, together with any taxes thereon.

IX. IMPROVEMENTS TO PREMISES

9.01 City Charter Section 520

All development of the Premises pursuant to this Lease shall be compatible with and accessory to the park and recreation purposes for which the City Council has designated the Premises in accordance with section 520 of the City Charter and Chapter 28.37 of the City Municipal Code. A City Council finding of compatibility shall be required as a condition precedent for any consent for any development, installation or use of the Premises not specified in the Zoo Master Plan, the uses allowed in Regional Parks pursuant to Chapter 28.37 of the Municipal Code, or this Lease.

9.02 Future Development of Premises

A. Foundation shall conduct no new construction, installation, grading or other development in, on or upon the Premises that would require a building permit under the California Building Code, as such code is adopted by the City of Santa Barbara, or a Coastal Development Permit without the prior written consent of the Parks and Recreation Director, who shall review proposed projects in consultation with the Public Works Director. Such consent may be documented by the Parks and Recreation Director executing the master application for new development projects. When seeking approval for a proposed project, Foundation shall provide the Parks and Recreation Director with conceptual engineering and design plans for the proposed project. Foundation may appeal the denial of a project by the Parks and Recreation Director to the City Council in accordance with section 1.30.050 of the Santa Barbara Municipal Code.

The approval of any project by the Parks and Recreation Director or the City Council on appeal pursuant to this provision shall constitute an action of the City in its proprietary capacity only and shall in no way excuse Foundation from complying with any laws, rules, regulations and ordinances regarding the development and use of the Premises nor shall any approval pursuant to this provision limit the exercise of discretion in the design review process by any City officer, board or commission or the City Council. Foundation shall be exempt from the obligation to pay City development fees and permit fees for any construction, project or development on the Premises during the term of this Lease. This exemption from fees does not apply to mitigation fees, utility buy-in or connection fees, or any other fees that do not relate to the review of a development application or the permitting or inspection of construction.

B. All construction undertaken pursuant to this Lease shall be of first quality construction and architectural design and in accordance with plans and specifications submitted to and approved by City.

C. Foundation and City shall share with each other all geological, hydrological, or other reports or studies of the Premises that either party may prepare or cause to be prepared.

D. At least ten (10) days prior to commencement of any construction on the Premises, Foundation shall provide to City evidence of a payment and performance bond, letter of credit or cash or securities on deposit in an amount equal to one hundred percent (100%) of the contract price as security for the contractor's faithful performance of the construction. This bond, letter of credit, cash or securities shall be in such form and with such surety, brokerage, or depository institution as may be approved by City. Foundation shall bear all costs and fees associated with any bond, letter of credit, cash or securities as provided herein. In lieu of a payment and performance bond, Foundation may in its discretion provide City with either (i) evidence of cash or readily available securities on deposit in a Foundation account with any bank, savings and loan or other brokerage or financial institution in and amount; or (ii) a letter of credit, standby revolving credit loan or other credit facility sufficient to pay one hundred percent (100%) of the contract price for any construction, project or development on the Premises.

E. To the extent the California Labor Code requires the payment of prevailing wages for any work on improvements, fixtures or equipment on the Premises, Foundation shall ensure that any contractors hired by Foundation to perform any such work shall comply with the provisions of the Labor Code and Foundation shall indemnify and hold the City harmless for the failure of any contractor to comply with the provisions of such code.

X. TITLE

10.01 Title to Real Property

Title to the real property which is the subject of this Lease shall remain vested in the City.

10.02 Improvements Constructed by Foundation

Title to all Improvements and Fixtures constructed or placed by Foundation upon the Premises shall remain vested in Foundation until termination of this Lease. Upon expiration of the term or other termination of this Lease, title to all Improvements upon the Premises shall vest in City without compensation therefor to Foundation. Upon expiration of the term or other termination of this Lease, Foundation shall retain ownership of any removable Fixtures. Unless Foundation receives prior written consent from the City to leave such Fixtures in place as part of the Premises, Foundation shall remove all Fixtures from the Premises upon expiration of the term or other termination of this Lease.

XI. OBLIGATIONS OF FOUNDATION

11.01 Annual Report

On or about August 1st of each year during the term of this Lease, Foundation shall submit to the City an annual report showing its revenues and income, its expenditures, its resources and a descriptive account of its activities during the preceding twelve months together with an audited financial statement for the applicable period.

11.02 Maintenance and Inspection of Records

Foundation shall maintain true, correct and accurate records of its development, maintenance and operation of the Premises. Foundation shall keep and maintain said records for not less than five (5) years in its offices on the Premises.

All of the Foundations books of account and records relating to this Lease shall be made available at one location within the City limits of the City of Santa Barbara. City shall, through its duly authorized agents or representatives, have the right to examine and audit said books of account and records (including any tax returns filed by Foundation) at reasonable times and upon reasonable notice for the purpose of determining the accuracy thereof. Any audit of such books and records shall be conducted at City's expense.

XII. INDEMNITY AND INSURANCE

12.01 Indemnity & Hold Harmless

Foundation agrees to investigate, defend, indemnify and hold harmless the City, its officers, employees and agents, from and against any and all loss, damage, liability, claims, demands, detriments, costs, charges and expense (including attorneys' fees) and causes of action of whatsoever ("Losses") character which the City may incur, sustain or be subjected to on account of loss or damage to property and loss of use thereof and for bodily injury to or death of any persons (including but not limited to property, employees, subcontractors, agents and invitees of each party hereto) arising out of or in any way connected with the work to be performed or occupancy, operation, maintenance, enjoyment, or use of the Premises under this agreement and arising from any cause whatsoever, excluding any Losses resulting from the gross negligence or willful misconduct by the City.

12.02 Insurance

A. Required Insurance Coverage

Foundation shall maintain and keep in force during the term of this Lease, for the mutual benefit of City and Foundation, at Foundation's sole cost and expense, the following insurance:

1. Property Insurance insuring against loss of or damage to all improvements, fixtures and equipment on the Premises resulting from fire, lightning, vandalism, malicious mischief and those risks ordinarily insured by special form property coverage. Such property insurance shall be in an amount equal to the full replacement cost of said improvements, fixtures and equipment, including all required code upgrades. In addition, Foundation shall at its expense provide such additional insurance as may be reasonably required in the event Foundation provides alcohol service on the Premises.

2. Comprehensive General Liability Insurance with limits of not less than Ten Million Dollars (\$10,000,000) in any combination of primary or excess coverage for each occurrence combined single limit for bodily injury and property damage. Coverage thereunder shall include endorsements for contractual liability, personal injury, owners' and contractors' protection, and fire legal liability.

3. Automobile Liability Insurance with limits of not less than Five Million Dollars (\$5,000,000) in any combination of primary or excess coverage each occurrence combined single limit for bodily injury and property damage for all vehicles owned or operated by Foundation.

4. Workers' Compensation Insurance in compliance with statutory limits.

B. General Insurance Policy Requirements

1. All insurance provided for in this section shall be enacted under valid and enforceable policies in form and substance satisfactory to City issued by insurers satisfactory to City and authorized to do business in the State of California. Such insurance shall apply as primary and not in excess of or contributing with any insurance that City may carry. The policies required shall name City, its officers, employees and agents as additional insured. Foundation's insurance policies shall apply separately to each named or additional insured as if separate policies had been issued to each. Foundation's insurance, as required by this Lease, shall not be subject to cancellation or material reduction without at least thirty (30) days prior written notice to the City. Foundation shall furnish to City a Certificate of Insurance evidencing that the above requirements have been met on or before the commencement of this Lease and upon the renewal of each policy.

2. Foundation hereby expressly waives on behalf of its insurers hereunder any right of subrogation against City by reason of any claim, liability, loss or expense arising under this Agreement. This provision applies regardless of whether or not the Foundation obtains a waiver of subrogation endorsement from its insurer.

3. City shall retain the right to review at any time the coverage, form and amount of insurance required hereby. If, in the opinion of City, the insurance provisions in this Lease do not provide adequate protection for City and for members of the public using the Premises, City may require Foundation to obtain insurance sufficient in coverage, form and amount to provide adequate protection. City's requirements shall be reasonable but shall be designed to assure protection from and against the kind and extent of the risks that exist at the time a change in insurance is required.

4. The procuring of such required policy or policies of insurance shall not be construed to limit Foundation's liability hereunder or to fulfill the indemnification provisions and requirements of this Lease. Notwithstanding said policy or policies of insurance, Foundation shall be obligated for the full and total amount of any damage, injury or loss caused by negligence or neglect connected with this Lease or with use or occupancy of the Premises.

12.03 Use of Insurance Proceeds

Upon the occurrence of any loss, the proceeds of any insurance shall be paid to a financial institution or trust company with an office in Santa Barbara County designated by Foundation and approved by City (the "Insurance Trustee"). In the event of such loss, to the extent of available insurance proceeds received by Foundation, Foundation shall be obligated to rebuild or replace the destroyed or damaged improvements, equipment or fixtures in the same or better condition as they existed prior to such loss. All sums deposited with the Insurance Trustee shall be held in trust by the Insurance Trustee with the following powers and duties:

A. The Insurance Trustee shall pay the contractor retained by Foundation for the restoration in installments as the construction progresses. A retention fund of ten percent (10%) of the total contract price shall be established. The contractor shall be paid the retained amount upon the completion of the restoration, acceptance of the work by the Foundation and City, payment of all costs, expiration of all applicable lien periods and proof that the Premises is free of all mechanics' liens and lienable claims.

B. Payments to the contractor shall be made on presentation of certificates or vouchers from the architect or engineer retained by Foundation showing the amount due. If the Insurance Trustee, in the Insurance Trustee's reasonable discretion, determines that the certificates or vouchers are being improperly approved by the architect or engineer retained by Foundation, the Insurance Trustee shall have the right to appoint an architect or engineer to supervise the construction and to make payments to the contractor on certificates or vouchers approved by the architect or engineer retained by the Insurance Trustee. The reasonable expenses and charges of the architect or engineer retained by the Insurance Trustee shall be paid by the Insurance Trustee out of the trust fund.

C. If the sums held by the Insurance Trustee are insufficient to pay the actual cost of the repair, restoration or replacement, Foundation shall have the right but not the obligation to deposit the amount of the deficiency with the Insurance Trustee within thirty (30) days after request by the Insurance Trustee indicating the amount of the deficiency.

D. Any undistributed funds following compliance with the provisions of this section shall be delivered to Foundation.

E. All actual costs of the Insurance Trustee shall first be paid from the insurance proceeds, then by Foundation. If the Insurance Trustee resigns or for any reason is unable or unwilling to act or continue to act in accordance with these provisions, Foundation shall substitute a new trustee for the designated trustee. The new trustee must be a financial institution or trust company with an office in Santa Barbara County approved by City.

F. Both Parties shall promptly execute all documents and perform all acts reasonably required by the Insurance Trustee in order for the Insurance Trustee to perform its obligations under this section.

12.04 Termination of Lease Following Damage or Destruction

Notwithstanding anything in this Lease to the contrary, in the event of any damage or destruction of the Premises or any improvements thereon which prevents the Foundation from operating the Zoo in its reasonable business discretion, Foundation shall have the right to terminate this Lease by written notice to the City given not less than ninety (90) days before the effective date of termination. In the event Foundation terminates this Lease following an event of damage or destruction to the Premises or any improvements thereon, the proceeds of any insurance on account of such damage or destruction shall be paid to City.

XIII. DEFAULT

13.01 Events of Default

Any of the following occurrences or acts shall constitute an "Event of Default" under this Lease:

A. If Foundation at any time during the term (regardless of the pendency of any bankruptcy, reorganization, receivership, insolvency or other proceedings, in law or equity or before any administrative tribunal which have or might have the effect of preventing Foundation from complying with the terms of this Lease) shall fail to observe or perform any of Foundation's covenants, agreements or obligations hereunder and such failure is not cured within sixty (60) days after receipt of written notice thereof by City to Foundation or, in the case of any failure which cannot with due diligence be cured within such sixty-day period, if Foundation should not proceed promptly to cure the same and thereafter conduct the curing of such failure with diligence, it being intended that the time within which to cure the failure shall be extended for such period as may be necessary to complete the curing of the same with diligence; or

B. If Foundation shall be liquidated or dissolved or shall begin proceedings toward its liquidation or dissolution without the prior written consent of City; or

C. If Foundation shall commit or suffer to be committed any waste of the Premises or any part thereof which is not cured within sixty (60) days after receipt of written notice thereof by City to Foundation or, in the case of any failure which cannot with due diligence be cured within such sixty-day period, if Foundation should not proceed promptly to cure the same and thereafter conduct the curing of such failure with diligence, it being intended that the time within which to cure the failure shall be extended for such period as may be necessary to complete the curing of the same with diligence; or

D. If Foundation shall alter the improvements on the Premises in any manner, except as expressly permitted by this Lease; or

E. If Foundation shall fail to maintain or replace the insurance as required by this Lease promptly after written notice from City to Foundation; or

F. If Foundation shall engage in any financing except as consented to by the City, or any other transaction creating any mortgage on the Premises, or place or suffer to be placed thereon any lien or other encumbrance, or suffer any levy or attachment to be made thereon without the prior knowledge and consent of City, which lien, encumbrance, levy or attachment the Foundation fails to bond over within thirty (30) days after written notice from the City; or

G. If Foundation fails to operate the Zoo for more than seventy-two (72) consecutive hours, except in the case of such closures as may be allowed or provided for by this Lease (hereafter referred to as an "Abandonment"), City may enter the Premises and operate the Zoo until the resolution of the situation that led to the Abandonment or until the termination of this Lease by either party. If the Lease is not terminated, City reserves the right to charge Foundation for costs incurred by City in the operation of the Zoo during the course of an Abandonment.

13.02 Remedies

Upon the occurrence of any Event of Default described above, City may terminate Foundation's right to possession by any lawful means, in which case this Lease shall terminate and Foundation shall immediately surrender possession to City. In such event, City shall be entitled to recover from Foundation, any amount necessary to compensate City for all the detriment proximately caused by an affirmative act of Foundation or Foundation's failure to perform its obligations under this Lease.

XIV. CONDEMNATION

If the Premises or any portion thereof is taken under the power of eminent domain or sold under the threat of the exercise of said power (collectively, "Condemnation"), this Lease shall terminate as to the part taken as of the date the condemning authority takes title or possession, whichever first occurs. In the event that only a portion of the Premises is condemned, Foundation may, at Foundation's election, terminate this Lease as of the date the condemning authority takes possession. If Foundation does not elect to terminate this Lease in accordance with the foregoing, this Lease shall remain in full force and effect as to the portion of the Premises remaining. In the event that this Lease is not terminated by reason of the Condemnation, Foundation shall repair any damage to the Premises caused by such Condemnation. Condemnation awards and/or payments shall be the property of City; provided, however, Foundation shall be entitled to recover all just compensation to which it may legally be entitled, including but not limited compensation for improvements on the Premises owned by the Foundation as described in Section 10.02 above.

XV. MISCELLANEOUS AND INTERPRETIVE PROVISIONS

15.01 Assignment

Foundation shall not assign this Lease or sublease all or any portion of the Premises without the prior written consent of the City Council.

15.02 Successors

This Lease shall be binding upon City and Foundation, their personal representatives, successors and assigns.

15.03 Choice of Law; Venue

This Lease shall be governed by the laws of the State of California. Any litigation between the Parties concerning this Lease shall be initiated in the County of Santa Barbara, State of California.

15.04 Nondiscrimination Certificate

Foundation agrees to comply with City's nondiscrimination certificate which is attached hereto as Exhibit B and incorporated herein by reference.

15.05 Captions

Neither the index nor the title nor the heading to the sections in this agreement are part of this agreement and shall have no effect upon the construction or interpretation of any part hereof.

15.06 Recordation

This Lease may be recorded or an abstract, memorandum or short form agreement may be recorded at Foundation's expense in the Office of the County Recorder of Santa Barbara County, California. City and Foundation agree to execute any abstract, memorandum or short form of this agreement in the form and substance as required by any title insurance company insuring Foundation's leasehold interest in the Premises.

15.07 Amendments

This Lease may be amended only in writing, properly executed by City and Foundation.

15.08 Severability

If any term, covenant, condition or provision of this Lease is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and in no way be affected, impaired or invalidated thereby.

15.09 Time

Time is of the essence in this Lease.

15.10 Execution and Counterpart

This Lease may be executed in two or more counterparts each of which shall be an original but all of which shall constitute one and the same instrument.

15.11 Consent of Parties

Unless another standard or condition is specified in the particular provision, whenever consent or approval of either party is required, that party shall not unreasonably withhold such consent or approval or grant it on unreasonable conditions.

15.12 Corporate Authorization

Each individual executing this Lease on behalf of any entity shall represent and warrant that he or she is duly authorized to execute and deliver the Lease on behalf of said entity in accordance with the duly adopted resolution of the Board of Directors or equivalent of that entity and that this Lease is binding upon that entity in accordance with its terms.

15.13 Exhibits

Attached hereto are Exhibits A and B both of which constitute part of this Lease and are incorporated herein by this reference.

15.14 Notices

All notices required or permitted by this Lease shall be in writing and may be delivered in person (by hand or by messenger or courier service) or may be sent by regular, certified or registered mail with the U.S. Postal Service, with postage prepaid, and shall be deemed sufficiently given if served in the manner specified herein. If such notice is intended for City it shall be addressed to:

City Clerk
City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93102-1990

with a copy to:

Parks and Recreation Director
Parks and Recreation Department

PO Box 1990
Santa Barbara, CA 93102-1990

and if intended for Foundation it shall be addressed to:

Santa Barbara Zoological Foundation
Attn: Executive Director
500 Ninos Drive
Santa Barbara, CA 93103

or to such other address as either party may have furnished to the other in writing as a place for the service of notice. Any notice sent by registered or certified mail, return receipt requested, shall be deemed given on the date of delivery shown on the receipt card, or if no date is shown, the postmark thereon. If sent by regular mail, the notice shall be deemed given forty-eight (48) hours after the same is addressed as required herein and mailed with postage prepaid. Notices sent by overnight courier services that guarantee next day delivery shall be deemed given twenty-four (24) hours after delivery of the same to the courier. If notice is received on Saturday, Sunday or a legal holiday, it shall be deemed received on the next business day.

15.15 No Waiver

No waiver of any default under this Lease shall constitute or operate as a waiver of any subsequent default hereunder, and no delay, failure or omission in exercising or enforcing any right, privilege or option under this Lease shall constitute a waiver, abandonment or relinquishment thereof or prohibit or prevent any election under or enforcement or exercise of any right, privilege or option hereunder. No waiver of any provision hereof by City or Foundation shall be deemed to have been made unless and until such waiver shall have been reduced to writing and signed by City or Foundation, as the case may be. Failure by City or Foundation, as the case may be, to enforce any of the terms, covenants or conditions of this Lease for any length of time or from time to time shall not be deemed to waive or decrease the right of City to insist thereafter upon strict performance by Foundation.

15.16 No Right to Holdover

Foundation has no right to retain possession of the Premises or any part thereof beyond the expiration or termination of this Lease. Nothing contained herein shall be construed as consent by City to any holding over by Foundation.

15.17 Cumulative Remedies

No remedy or election hereunder shall be deemed exclusive but shall, wherever possible, be cumulative with all other remedies at law or in equity.

15.18 Surrender of Premises

Foundation shall surrender the Premises upon the expiration of this Lease or upon any earlier termination date, other than termination following damage or destruction pursuant to Section 12.04, with all of the improvements and fixtures in good operating order, condition and state of repair, ordinary wear and tear excepted. "Ordinary wear and tear" shall not include any damage or deterioration that would have been prevented by good maintenance practice.

15.19 No Prior or Other Agreements

This Lease contains all agreements between the Parties with respect to any matter mentioned herein, and no prior or contemporaneous agreement or understanding shall be effective. Upon the Commencement Date of this Lease, the prior lease between the Parties dated December 30, 1987 is hereby amended, restated and superseded by this Lease.

XVI. TERMINATION

16.01 Termination

Foundation shall have the right to terminate this Lease at any time with or without cause upon twelve (12) months written notice to City. If Foundation elects to terminate this Lease, Foundation shall effective upon the date of termination of this Lease immediately surrender possession of the Premises in accordance with Section 15.18 above.

16.02 Disposition of Assets of the Foundation Upon Termination

Foundation's assets are irrevocably dedicated to charitable purposes pursuant state and federal laws including, without limitation, Section 501(c)(3) of the Internal Revenue Code. The disposition of Foundation's assets following the expiration or termination of this Lease shall be subject to such laws, rules and regulations.

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the Parties have executed this agreement as of the date and year first above written.

CITY OF SANTA BARBARA, a municipal corporation

By: _____
James L. Armstrong,
City Administrator

SANTA BARBARA ZOOLOGICAL FOUNDATION, a California nonprofit public benefit corporation

By: _____
Kelly Jensen, President

ATTEST

Deputy City Clerk

APPROVED AS TO CONTENT:

Nancy Rapp,
Parks and Recreation Director

APPROVED AS TO FORM:
Stephen P. Wiley, City Attorney

By: _____
N. Scott Vincent,
Assistant City Attorney

APPROVED AS TO INSURANCE

Mark Howard, Risk Manager

EXHIBIT A

All that certain real property owned by the City of Santa Barbara, California, within the City of Santa Barbara, California, lying Northerly of Cabrillo Boulevard, Westerly of the Andree Clark Bird Refuge, Easterly of Sycamore Canyon Creek, and southerly of the Southern Pacific Railroad right of way and as more particularly shown on the map attached hereto and outlined in red.



Features shown hereon were compiled from the records of various public and private entities and are for informational purposes only. The City of Santa Barbara does not accept any responsibility for the positional or completeness of this information.

M:\Administration Services\Information Systems\GIS Collaboration\GIS Test\Public World\Engineering\SB Zoo\Zoo Lease Area.mxd

Zoo Lease Area

Exhibit "A"

Legend

- Santa Barbara Zoo
- Parcels



LESSEE'S OBLIGATION FOR NON-DISCRIMINATION CERTIFICATE
(Santa Barbara Municipal Code Section 9.130.020)

I. Certificate Generally.

Consistent with a policy of non-discrimination in the use of real or personal property owned by the City of Santa Barbara a "lessee's obligation for non-discrimination certificate", as hereinafter set forth shall be attached and incorporated by reference as an indispensable and integral term of all leases of City owned real or personal property.

II. Contents of Certificate.

The "lessee's obligation for non-discrimination" is as follows:

(a) Lessee in the use of the property which is the subject of this lease or in the operations to be conducted pursuant to the provisions of this lease, will not discriminate or permit discrimination against any person or class of persons by reason of race, creed, color, national origin, ancestry, sexual orientation, political affiliation or beliefs, sex, age, physical handicap, medical condition, marital status or pregnancy (as those terms are defined by the California Fair Employment and Housing Act -- Government Code Sections 12900 - 12996) except where such discrimination is related to bona fide occupational qualification.

(b) Lessee shall furnish its accommodations and services on a fair, equal and non-discriminatory basis to all users thereof and lessee shall only charge fair, reason-able and non-discriminatory prices for each unit of service.

Lessee may make reasonable and non-discriminatory rebates, discounts or other similar price reductions to volume purchasers to the extent permitted by law.

(c) Lessee shall make its accommodations and services available to the public on fair and reasonable terms without discrimination on the basis of race, creed, color, national origin, ancestry, sexual orientation, political affiliation or beliefs, sex, age, physical handicap, medical condition, marital status or pregnancy (as those terms are defined by the California Fair Employment and Housing Act -- Government Code Sections 12900 - 12996) except where such discrimination is related to bona fide occupational qualification.

(d) Lessee shall not discriminate or allow discrimination either directly or indirectly, in hiring or employing persons to work on the leased premises.

(e) Lessee agrees that it shall insert the above articles in any agreement by which said Lessee transfers any interest herein or grants a right or privilege to any person, firm or corporation to use the leased premises or to render accommodations and services to the public on the leased premises.

(f) Non-compliance with provisions (a), (b), (c), (d), and (e) above shall constitute a material breach hereof and in addition to any other remedies provided by law or this lease, in the event of such non-compliance the Lessor shall have the right to terminate this lease and the interest hereby created without liability therefor, or at the election of the Lessor, the Lessor shall have the right to enforce judicially said provisions (a), (b), (c), (d), and (e).

In the event the Lessee is found to have failed to comply with the provisions of articles (a), (b), (c), (d), and (e) and notwithstanding any other remedy pursued by Lessor, the Lessee shall pay to the Lessor the sum of \$25.00 per day for each incident of a failure to comply.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Resolution Approving Application For Local Groundwater Assistance Grant

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Submit a Groundwater Management Plan Grant Application in an amount of \$250,000 and Execute an Agreement With the California Department of Water Resources Local Groundwater Assistance Grant Program.

DISCUSSION:

The City of Santa Barbara (City) maintains eight municipal supply wells which draw from two groundwater basins known as Storage Unit 1 and the Foothill Basin. Groundwater supplies contribute approximately 10 percent of the overall water supply portfolio. They are a vital element of the City's supply, particularly in the event of catastrophic failures of Mission and/or Tecolote Tunnels, which transport Santa Ynez River water to the City.

The City's Long-Term Water Supply Plan, adopted in 2010, as well as the City's Urban Water Management Plan, also adopted in 2010, indicates the City's commitment to preparing a Groundwater Management Plan, per State legislation outlined in AB 3030. The required elements of AB 3030 include control of saline water intrusion, regulation of migration of pollutants, facilitation of conjunctive use, wellhead protection, and coordination with regulatory agencies and other stakeholders within the groundwater basins. While the City is already undertaking these efforts, the individual elements have yet to be coordinated into a single policy document, which is the purpose of the proposed Groundwater Management Plan. It is anticipated that the Groundwater Management Plan will be prepared and presented to Council for adoption by July 2014.

The purpose of the California Department of the Water Resources Local Groundwater Assistance Grant Program is to provide funding to conduct groundwater studies or to carry out groundwater monitoring and management activities. If the City's application is successful, the Local Groundwater Assistance grant will provide funding needed for the preparation of a City wide Groundwater Management Plan, as well as investigation of water quality and quantity issues within the Foothill Basin. Adoption of a resolution authorizing application for the grant is a required part of the grant application.

Staff anticipates applying for the full grant award amount of \$250,000. City contribution is not required to apply for grant funds through this program.

PREPARED BY: Rebecca Bjork, Water Resources Manager/TL/mh

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SUBMIT A GROUNDWATER MANAGEMENT PLAN GRANT APPLICATION IN AN AMOUNT OF \$250,000 AND EXECUTE AN AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES LOCAL GROUNDWATER ASSISTANCE GRANT PROGRAM

WHEREAS, the California Department of Water Resources (DWR) has enacted the Local Groundwater Assistance Grant Program to support projects that promote groundwater management;

WHEREAS, the City is in support of projects that increase the long-term reliability of the municipal water supply; and

WHEREAS, the City proposes to enter into an agreement with the DWR to meet all established deadlines for the purposes of the grant program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS THAT the Public Works Director, or her designee, is hereby authorized and empowered to submit a grant application to the DWR Local Groundwater Assistance Grant Program, execute in the name of the City of Santa Barbara all necessary applications, contracts, payment requests, agreements and amendments hereto for the purposes of securing grant funds, to implement and carry out the project identified in the grant application, and to prepare and adopt a Groundwater Management Plan by July 2014.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: Business Division, Waterfront Department

SUBJECT: Introduction Of Ordinance For A Lease Agreement With Channel Island Outfitters, Inc., Doing Business As Paddle Sports Of Santa Barbara

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with Channel Island Outfitters, Inc., Doing Business As Paddle Sports of Santa Barbara, at a Monthly Rent of \$2,762.75, for Approximately 956 Square Feet of Retail Space and 374 Square Feet of Water Area Adjacent to the Navy Pier in the Santa Barbara Harbor, Effective August 24, 2012.

DISCUSSION:

Paddle Sports has leased space from the City since 2002 (Site Plan Attached). The current lease expired on May 31, 2012, and the tenant has continued to occupy and use the site on a holdover status, with the Department's approval, since that time.

The current owners, Channel Islands Outfitters, Inc., have operated Paddle Sports since October 2010. The permitted uses under their lease are kayak rentals, sales and demonstration of kayaks and equipment related to the sport of kayaking, a staging area for guided kayak trips, kayak instruction, the sale of clothing imprinted with the tenant's logo, clothing imprinted with a kayak design, clothing pertaining to the kayak/paddling industry, clothing with design features specific to the sport of kayaking, sunscreen, sunglasses, sandals, surfboards and body boards, memberships, lessons, and stand-up paddle board (SUPs) sales and rentals.

The basic terms of the proposed lease are as follows:

- **Term:** Five years with one five-year option to extend
- **Rent:** \$2,762.75 per month
- **Percentage Rent:** 5 percent of gross receipts or the base rent, whichever is greater
- **Annual Rent Adjustment:** Cost of Living increases based on the Consumer Price Index (CPI)

The Harbor Commission recommended approval of the lease agreement at its June 21, 2012, meeting.

ATTACHMENT: Lease Space – Site Plan

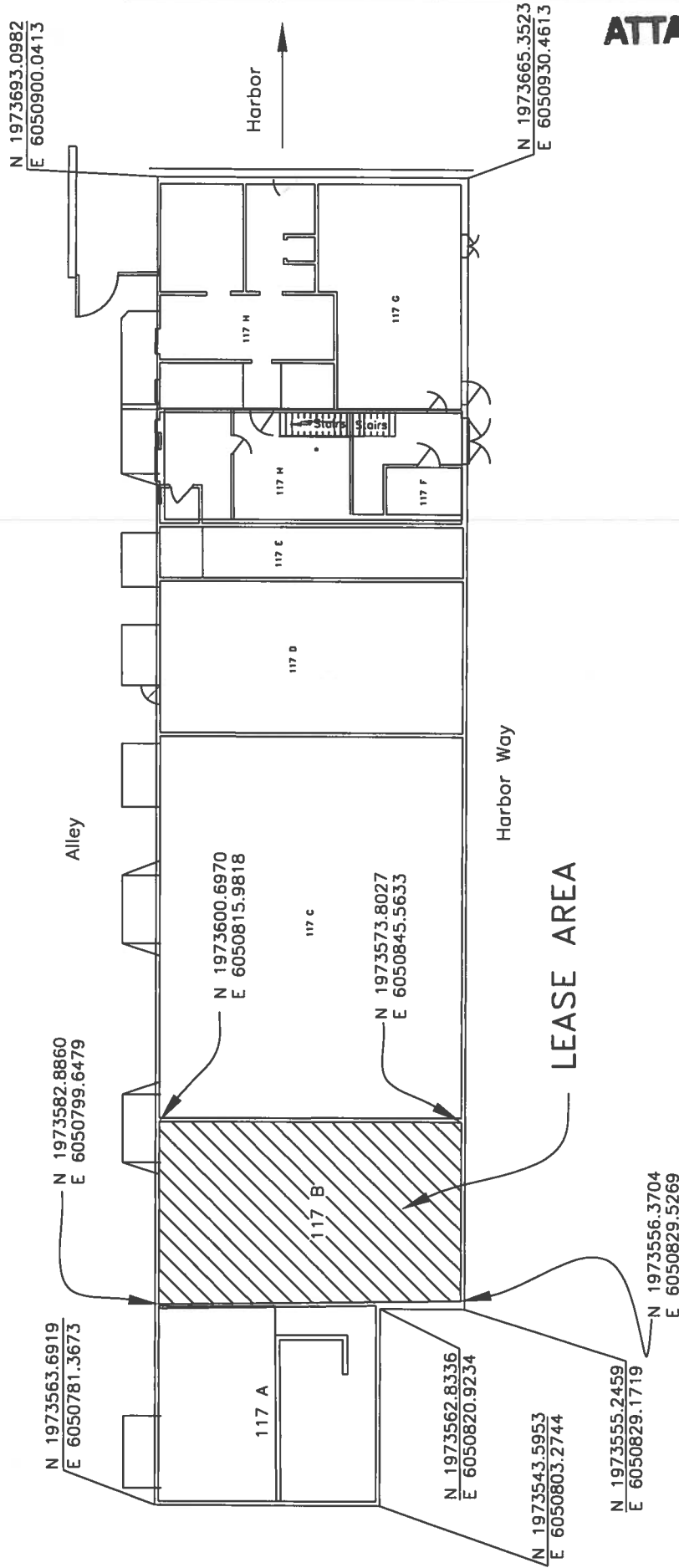
PREPARED BY: Brian Bosse, Waterfront Business Manager

SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office

117-B HARBOR WAY

FIRST FLOOR AREA 956 SF
 SECOND FLOOR AREA 000 SF
 KAYAK AREA 374 SF
 TOTAL AREA 1330 SF



ATTACHMENT

Lease Area Exhibit A

REVISIONS

T. Remelka 1/22/01

DATE 10/12/00

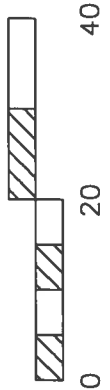
BY 10/12/00

10/12/00

10/12/00

10/12/00

Project North



Scale (Feet)

City of Santa Barbara
Waterfront Department

2 of 2

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A FIVE-YEAR LEASE AGREEMENT WITH ONE FIVE-YEAR OPTION WITH CHANNEL ISLAND OUTFITTERS, INC., DOING BUSINESS AS PADDLE SPORTS OF SANTA BARBARA, AT A MONTHLY RENT OF \$2,762.75, FOR APPROXIMATELY 956 SQUARE FEET OF RETAIL SPACE AND 374 SQUARE FEET OF WATER AREA ADJACENT TO THE NAVY PIER IN THE SANTA BARBARA HARBOR, EFFECTIVE AUGUST 24, 2012.

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, An Ordinance of the Council of the City of Santa Barbara approving a five-year lease with one five-year option with Channel Island Outfitters, Inc., Doing Business As Paddle Sports of Santa Barbara at a monthly rent of \$2,762.75, for approximately 956 square feet of retail space and 374 square feet of water area adjacent to the Navy Pier in the Santa Barbara Harbor, Effective August 24, 2012, is hereby approved.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: Accounting Division, Finance Department

SUBJECT: Fiscal Year 2012 Interim Financial Statements For The Eleven Months Ended May 31, 2012

RECOMMENDATION:

That Council accept the Fiscal Year 2012 Interim Financial Statements for the Eleven Months Ended May 31, 2012.

DISCUSSION:

The interim financial statements for the eleven months ended May 31, 2012 (91.7% of the fiscal year) are attached. The interim financial statements include budgetary activity in comparison to actual activity for the General Fund, Enterprise Funds, Internal Service Funds, and select Special Revenue Funds.

ATTACHMENT: Interim Financial Statements for the Eleven Months Ended May 31, 2012

PREPARED BY: Ruby Carrillo, Accounting Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
Summary by Fund
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

| | <u>Annual Budget</u> | <u>YTD Actual</u> | <u>Encum- brances</u> | <u>Remaining Balance</u> | <u>Percent of Budget</u> |
|--|--------------------------|-----------------------|---------------------------|------------------------------|------------------------------|
| GENERAL FUND | | | | | |
| Revenue | 103,169,648 | 94,848,755 | - | 8,320,893 | 91.9% |
| Expenditures | 103,716,314 | 91,945,436 | 1,091,702 | 10,679,175 | 89.7% |
| <i>Addition to / (use of) reserves</i> | <u>(546,665)</u> | <u>2,903,319</u> | <u>(1,091,702)</u> | | |
| WATER OPERATING FUND | | | | | |
| Revenue | 38,167,816 | 35,015,198 | - | 3,152,618 | 91.7% |
| Expenditures | 43,447,024 | 33,672,718 | 1,853,916 | 7,920,389 | 81.8% |
| <i>Addition to / (use of) reserves</i> | <u>(5,279,208)</u> | <u>1,342,480</u> | <u>(1,853,916)</u> | | |
| WASTEWATER OPERATING FUND | | | | | |
| Revenue | 16,395,810 | 14,979,321 | - | 1,416,489 | 91.4% |
| Expenditures | 17,667,788 | 15,238,562 | 797,040 | 1,632,187 | 90.8% |
| <i>Addition to / (use of) reserves</i> | <u>(1,271,978)</u> | <u>(259,240)</u> | <u>(797,040)</u> | | |
| DOWNTOWN PARKING | | | | | |
| Revenue | 7,036,049 | 7,004,516 | - | 31,533 | 99.6% |
| Expenditures | 7,582,431 | 6,588,517 | 144,257 | 849,658 | 88.8% |
| <i>Addition to / (use of) reserves</i> | <u>(546,382)</u> | <u>415,999</u> | <u>(144,257)</u> | | |
| AIRPORT OPERATING FUND | | | | | |
| Revenue | 15,030,488 | 13,183,923 | - | 1,846,565 | 87.7% |
| Expenditures | 17,910,688 | 14,400,519 | 434,556 | 3,075,613 | 82.8% |
| <i>Addition to / (use of) reserves</i> | <u>(2,880,200)</u> | <u>(1,216,596)</u> | <u>(434,556)</u> | | |
| GOLF COURSE FUND | | | | | |
| Revenue | 2,060,146 | 1,700,639 | - | 359,507 | 82.5% |
| Expenditures | 2,065,870 | 1,687,679 | 91,021 | 287,170 | 86.1% |
| <i>Addition to / (use of) reserves</i> | <u>(5,724)</u> | <u>12,960</u> | <u>(91,021)</u> | | |
| INTRA-CITY SERVICE FUND | | | | | |
| Revenue | 6,722,563 | 5,748,373 | - | 974,190 | 85.5% |
| Expenditures | 6,959,569 | 5,435,454 | 521,459 | 1,002,656 | 85.6% |
| <i>Addition to / (use of) reserves</i> | <u>(237,006)</u> | <u>312,919</u> | <u>(521,459)</u> | | |

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
Summary by Fund
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

| | <u>Annual Budget</u> | <u>YTD Actual</u> | <u>Encum- brances</u> | <u>Remaining Balance</u> | <u>Percent of Budget</u> |
|-------------------------------------|--------------------------|-----------------------|---------------------------|------------------------------|------------------------------|
| FLEET REPLACEMENT FUND | | | | | |
| Revenue | 2,230,083 | 2,061,928 | - | 168,155 | 92.5% |
| Expenditures | 1,502,646 | 468,944 | 613,168 | 420,534 | 72.0% |
| Addition to / (use of) reserves | 727,437 | 1,592,984 | (613,168) | | |
| FLEET MAINTENANCE FUND | | | | | |
| Revenue | 2,530,723 | 2,297,254 | - | 233,469 | 90.8% |
| Expenditures | 2,482,012 | 1,997,007 | 136,128 | 348,877 | 85.9% |
| Addition to / (use of) reserves | 48,711 | 300,247 | (136,128) | | |
| SELF INSURANCE TRUST FUND | | | | | |
| Revenue | 5,391,678 | 4,756,771 | - | 634,907 | 88.2% |
| Expenditures | 9,055,327 | 8,239,037 | 140,343 | 675,946 | 92.5% |
| Addition to / (use of) reserves | (3,663,649) | (3,482,266) | (140,343) | | |
| INFORMATION SYSTEMS ICS FUND | | | | | |
| Revenue | 2,306,135 | 2,115,164 | - | 190,971 | 91.7% |
| Expenditures | 2,347,350 | 2,013,261 | 74,661 | 259,428 | 88.9% |
| Addition to / (use of) reserves | (41,215) | 101,903 | (74,661) | | |
| WATERFRONT FUND | | | | | |
| Revenue | 12,203,518 | 11,506,594 | - | 696,924 | 94.3% |
| Expenditures | 11,981,963 | 10,359,277 | 528,325 | 1,094,361 | 90.9% |
| Addition to / (use of) reserves | 221,555 | 1,147,316 | (528,325) | | |
| TOTAL FOR ALL FUNDS | | | | | |
| Revenue | 213,244,657 | 195,218,439 | - | 18,026,218 | 91.5% |
| Expenditures | 226,718,984 | 192,046,413 | 6,426,577 | 28,245,993 | 87.5% |
| Addition to / (use of) reserves | (13,474,327) | 3,172,026 | (6,426,577) | | |

**** It is City policy to adopt a balanced budget. In most cases, encumbrance balances exist at year-end. These encumbrance balances are obligations of each fund and must be reported at the beginning of each fiscal year. In addition, a corresponding appropriations entry must be made in order to accommodate the 'carried-over' encumbrance amount. Most differences between budgeted annual revenues and expenses are due to these encumbrance carryovers.**

CITY OF SANTA BARBARA
General Fund
Interim Statement of Budgeted and Actual Revenues
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

| | Annual Budget | YTD Actual | Remaining Balance | Percent Received | Previous YTD |
|------------------------------------|--------------------------|-----------------------|------------------------------|-----------------------------|-------------------------|
| TAXES | | | | | |
| Sales and Use | 17,949,013 | 17,245,926 | 703,087 | 96.1% | 16,457,685 |
| Property Taxes | 23,063,000 | 22,324,042 | 738,958 | 96.8% | 22,160,437 |
| Utility Users Tax | 7,144,500 | 6,492,174 | 652,326 | 90.9% | 6,397,852 |
| Transient Occupancy Tax | 13,018,252 | 12,347,131 | 671,121 | 94.8% | 11,233,616 |
| Business License | 2,229,800 | 2,067,371 | 162,429 | 92.7% | 2,038,763 |
| Real Property Transfer Tax | 410,000 | 375,468 | 34,532 | 91.6% | 349,287 |
| <i>Total</i> | 63,814,565 | 60,852,113 | 2,962,452 | 95.4% | 58,637,640 |
| LICENSES & PERMITS | | | | | |
| Licenses & Permits | 182,900 | 202,806 | (19,906) | 110.9% | 172,977 |
| <i>Total</i> | 182,900 | 202,806 | (19,906) | 110.9% | 172,977 |
| FINES & FORFEITURES | | | | | |
| Parking Violations | 2,403,500 | 2,155,681 | 247,819 | 89.7% | 2,233,341 |
| Library Fines | 133,516 | 100,127 | 33,389 | 75.0% | 101,365 |
| Municipal Court Fines | 180,000 | 100,062 | 79,938 | 55.6% | 140,901 |
| Other Fines & Forfeitures | 210,000 | 201,324 | 8,676 | 95.9% | 215,595 |
| <i>Total</i> | 2,927,016 | 2,557,194 | 369,822 | 87.4% | 2,691,202 |
| USE OF MONEY & PROPERTY | | | | | |
| Investment Income | 740,827 | 684,550 | 56,277 | 92.4% | 656,411 |
| Rents & Concessions | 397,952 | 351,632 | 46,320 | 88.4% | 400,893 |
| <i>Total</i> | 1,138,779 | 1,036,182 | 102,597 | 91.0% | 1,057,304 |
| INTERGOVERNMENTAL | | | | | |
| Grants | 488,610 | 240,028 | 248,582 | 49.1% | 463,025 |
| Vehicle License Fees | - | - | - | 0.0% | 277,024 |
| Reimbursements | 14,040 | 1,323 | 12,717 | 9.4% | 10,898 |
| <i>Total</i> | 502,650 | 241,351 | 261,299 | 48.0% | 750,946 |
| FEES & SERVICE CHARGES | | | | | |
| Finance | 860,000 | 777,269 | 82,731 | 90.4% | 778,462 |
| Community Development | 4,525,570 | 3,754,398 | 771,172 | 83.0% | 4,448,735 |
| Recreation | 2,354,257 | 2,293,388 | 60,869 | 97.4% | 2,001,986 |
| Public Safety | 499,673 | 546,793 | (47,120) | 109.4% | 487,871 |
| Public Works | 5,286,083 | 4,868,102 | 417,981 | 92.1% | 4,503,238 |
| Library | 675,575 | 664,440 | 11,135 | 98.4% | 737,323 |
| Reimbursements | 6,248,494 | 5,304,998 | 943,496 | 84.9% | 5,092,887 |
| <i>Total</i> | 20,449,652 | 18,209,388 | 2,240,264 | 89.0% | 18,050,501 |
| OTHER REVENUES | | | | | |
| Miscellaneous | 1,398,491 | 1,401,459 | (2,968) | 100.2% | 1,744,596 |
| Franchise Fees | 3,593,200 | 3,080,865 | 512,335 | 85.7% | 3,213,290 |
| Indirect Allocations | 6,111,818 | 5,602,500 | 509,318 | 91.7% | 5,977,134 |
| Operating Transfers-In | 3,050,577 | 1,664,897 | 1,385,680 | 54.6% | 1,022,746 |
| <i>Total</i> | 14,154,086 | 11,749,721 | 2,404,365 | 83.0% | 11,957,766 |
| TOTAL REVENUES | 103,169,648 | 94,848,755 | 8,320,893 | 91.9% | 93,318,337 |

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

| | Annual Budget | YTD Actual | Encum- brances | ** Remaining Balance | YTD Expended and Encumbered | Previous YTD |
|---------------------------------|--------------------------|-----------------------|---------------------------|---------------------------------|--|-------------------------|
| GENERAL GOVERNMENT | | | | | | |
| <u>Mayor & City Council</u> | | | | | | |
| MAYOR | 725,196 | 647,851 | 160 | 77,185 | 89.4% | |
| <i>Total</i> | <u>725,196</u> | <u>647,851</u> | <u>160</u> | <u>77,185</u> | 89.4% | <u>628,629</u> |
| <u>City Attorney</u> | | | | | | |
| CITY ATTORNEY | 1,950,640 | 1,771,062 | 8,325 | 171,253 | 91.2% | |
| <i>Total</i> | <u>1,950,640</u> | <u>1,771,062</u> | <u>8,325</u> | <u>171,253</u> | 91.2% | <u>1,795,384</u> |
| <u>Administration</u> | | | | | | |
| CITY ADMINISTRATOR | 1,516,849 | 1,396,245 | 160 | 120,444 | 92.1% | |
| CITY TV | 455,110 | 360,935 | 22,228 | 71,947 | 84.2% | |
| <i>Total</i> | <u>1,971,959</u> | <u>1,757,180</u> | <u>22,387</u> | <u>192,392</u> | 90.2% | <u>1,604,728</u> |
| <u>Administrative Services</u> | | | | | | |
| CITY CLERK | 435,245 | 375,653 | 6,904 | 52,688 | 87.9% | |
| ADMIN SVCS-ELECTIONS | 300,000 | 208,387 | 81,227 | 10,385 | 96.5% | |
| HUMAN RESOURCES | 1,197,982 | 1,036,817 | 14,716 | 146,450 | 87.8% | |
| ADMIN SVCS-EMPLOYEE DEVELOPMENT | 14,447 | 3,735 | - | 10,712 | 25.9% | |
| <i>Total</i> | <u>1,947,674</u> | <u>1,624,592</u> | <u>102,847</u> | <u>220,235</u> | 88.7% | <u>1,420,441</u> |
| <u>Finance</u> | | | | | | |
| ADMINISTRATION | 219,098 | 206,489 | 4,571 | 8,038 | 96.3% | |
| TREASURY | 481,463 | 388,083 | - | 93,380 | 80.6% | |
| CASHIERING & COLLECTION | 417,180 | 384,094 | - | 33,086 | 92.1% | |
| LICENSES & PERMITS | 417,558 | 357,275 | 920 | 59,363 | 85.8% | |
| BUDGET MANAGEMENT | 396,344 | 356,939 | - | 39,405 | 90.1% | |
| ACCOUNTING | 476,344 | 443,725 | 45,160 | (12,541) | 102.6% | |
| PAYROLL | 273,474 | 247,546 | - | 25,928 | 90.5% | |
| ACCOUNTS PAYABLE | 207,832 | 189,353 | - | 18,479 | 91.1% | |
| CITY BILLING & CUSTOMER SERVICE | 581,802 | 496,091 | 1,831 | 83,879 | 85.6% | |
| PURCHASING | 659,344 | 606,796 | 2,577 | 49,971 | 92.4% | |
| CENTRAL STORES | 160,010 | 145,220 | 272 | 14,518 | 90.9% | |
| MAIL SERVICES | 102,301 | 93,448 | 272 | 8,581 | 91.6% | |
| <i>Total</i> | <u>4,392,750</u> | <u>3,915,058</u> | <u>55,604</u> | <u>422,088</u> | 90.4% | <u>3,746,701</u> |
| TOTAL GENERAL GOVERNMENT | <u>10,988,219</u> | <u>9,715,745</u> | <u>189,322</u> | <u>1,083,153</u> | 90.1% | <u>9,195,882</u> |
| PUBLIC SAFETY | | | | | | |
| <u>Police</u> | | | | | | |
| CHIEF'S STAFF | 979,104 | 926,616 | 236 | 52,252 | 94.7% | |
| SUPPORT SERVICES | 574,199 | 482,649 | 200 | 91,350 | 84.1% | |
| RECORDS | 1,172,517 | 1,003,188 | 1,375 | 167,954 | 85.7% | |
| COMMUNITY SVCS | 729,721 | 626,028 | 491 | 103,202 | 85.9% | |
| PROPERTY ROOM | 165,159 | 120,123 | - | 45,036 | 72.7% | |
| TRNG/RECRUITMENT | 405,269 | 466,394 | 5,343 | (66,468) | 116.4% | |

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

| | <u>Annual Budget</u> | <u>YTD Actual</u> | <u>Encum- brances</u> | <u>** Remaining Balance</u> | <u>YTD Expended and Encumbered</u> | <u>Previous YTD</u> |
|----------------------------------|--------------------------|-----------------------|---------------------------|---------------------------------|--|-------------------------|
| PUBLIC SAFETY | | | | | | |
| <u>Police</u> | | | | | | |
| RANGE | 1,184,348 | 1,074,105 | 10,527 | 99,716 | 91.6% | |
| BEAT COORDINATORS | 784,859 | 612,682 | - | 172,177 | 78.1% | |
| INFORMATION TECHNOLOGY | 1,275,768 | 1,048,543 | 78,977 | 148,247 | 88.4% | |
| INVESTIGATIVE DIVISION | 4,582,903 | 4,034,371 | 3,908 | 544,624 | 88.1% | |
| CRIME LAB | 130,163 | 122,878 | 4,375 | 2,910 | 97.8% | |
| PATROL DIVISION | 14,663,551 | 13,852,460 | 39,253 | 771,839 | 94.7% | |
| TRAFFIC | 1,288,412 | 1,220,659 | 700 | 67,053 | 94.8% | |
| SPECIAL EVENTS | 772,599 | 904,830 | - | (132,231) | 117.1% | |
| TACTICAL PATROL FORCE | 1,324,561 | 1,111,381 | - | 213,180 | 83.9% | |
| STREET SWEEPING ENFORCEMENT | 294,783 | 251,739 | - | 43,044 | 85.4% | |
| NIGHT LIFE ENFORCEMENT | 297,965 | 242,787 | - | 55,178 | 81.5% | |
| PARKING ENFORCEMENT | 931,552 | 788,240 | 16,495 | 126,817 | 86.4% | |
| CCC | 2,361,140 | 2,008,657 | 605 | 351,877 | 85.1% | |
| ANIMAL CONTROL | 613,570 | 461,104 | 3,163 | 149,303 | 75.7% | |
| <i>Total</i> | <u>34,532,143</u> | <u>31,361,681</u> | <u>165,647</u> | <u>3,004,815</u> | 91.3% | <u>30,259,351</u> |
| <u>Fire</u> | | | | | | |
| ADMINISTRATION | 742,079 | 703,505 | 1,469 | 37,105 | 95.0% | |
| EMERGENCY SERVICES AND PUBLIC ED | 249,338 | 219,298 | - | 30,040 | 88.0% | |
| PREVENTION | 1,110,296 | 971,481 | 1,949 | 136,866 | 87.7% | |
| WILDLAND FIRE MITIGATION PROGRAM | 172,505 | 154,175 | 13,828 | 4,503 | 97.4% | |
| OPERATIONS | 17,114,340 | 15,384,883 | 87,138 | 1,642,318 | 90.4% | |
| ARFF | 1,698,433 | 1,494,085 | - | 204,348 | 88.0% | |
| <i>Total</i> | <u>21,086,991</u> | <u>18,927,527</u> | <u>104,384</u> | <u>2,055,080</u> | 90.3% | <u>19,440,881</u> |
| TOTAL PUBLIC SAFETY | <u>55,619,134</u> | <u>50,289,209</u> | <u>270,031</u> | <u>5,059,894</u> | 90.9% | <u>49,700,232</u> |
| PUBLIC WORKS | | | | | | |
| <u>Public Works</u> | | | | | | |
| ADMINISTRATION | 868,519 | 748,300 | 8,822 | 111,396 | 87.2% | |
| ENGINEERING SVCS | 4,357,704 | 3,874,059 | 18,760 | 464,885 | 89.3% | |
| PUBLIC RT OF WAY MGMT | 1,176,628 | 1,022,886 | 3,272 | 150,471 | 87.2% | |
| ENVIRONMENTAL PROGRAMS | 421,105 | 259,006 | 118,261 | 43,838 | 89.6% | |
| <i>Total</i> | <u>6,823,956</u> | <u>5,904,251</u> | <u>149,115</u> | <u>770,590</u> | 88.7% | <u>5,761,542</u> |
| TOTAL PUBLIC WORKS | <u>6,823,956</u> | <u>5,904,251</u> | <u>149,115</u> | <u>770,590</u> | 88.7% | <u>5,761,542</u> |
| COMMUNITY SERVICES | | | | | | |
| <u>Parks & Recreation</u> | | | | | | |
| PRGM MGMT & BUS SVCS | 370,912 | 340,156 | - | 30,756 | 91.7% | |
| FACILITIES | 786,720 | 645,208 | 42,795 | 98,717 | 87.5% | |
| YOUTH ACTIVITIES | 743,003 | 640,379 | 2,376 | 100,248 | 86.5% | |
| SR CITIZENS | 717,260 | 675,029 | 140 | 42,090 | 94.1% | |

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

| | Annual Budget | YTD Actual | Encum- brances | ** Remaining Balance | YTD Expended and Encumbered | Previous YTD |
|------------------------------------|--------------------------|-----------------------|---------------------------|---------------------------------|--|-------------------------|
| COMMUNITY SERVICES | | | | | | |
| <u>Parks & Recreation</u> | | | | | | |
| AQUATICS | 1,045,683 | 960,743 | 22,874 | 62,066 | 94.1% | |
| SPORTS | 429,714 | 408,683 | 4,584 | 16,447 | 96.2% | |
| TENNIS | 234,714 | 191,444 | 15,000 | 28,270 | 88.0% | |
| NEIGHBORHOOD & OUTREACH SERV | 984,333 | 890,928 | 5,447 | 87,958 | 91.1% | |
| ADMINISTRATION | 522,889 | 486,527 | 969 | 35,393 | 93.2% | |
| PROJECT MANAGEMENT TEAM | 243,403 | 230,550 | - | 12,853 | 94.7% | |
| BUSINESS SERVICES | 299,201 | 226,726 | 7,401 | 65,074 | 78.3% | |
| FACILITY & PROJECT MGT | 992,450 | 890,607 | 171 | 101,672 | 89.8% | |
| GROUNDS MANAGEMENT | 4,119,025 | 3,504,915 | 149,899 | 464,211 | 88.7% | |
| FORESTRY | 1,160,228 | 1,012,402 | 49,015 | 98,811 | 91.5% | |
| BEACH MAINTENANCE | 146,160 | 118,543 | 10,012 | 17,605 | 88.0% | |
| <i>Total</i> | <u>12,795,695</u> | <u>11,222,839</u> | <u>310,686</u> | <u>1,262,170</u> | 90.1% | <u>11,063,662</u> |
| <u>Library</u> | | | | | | |
| ADMINISTRATION | 420,294 | 375,933 | - | 44,361 | 89.4% | |
| PUBLIC SERVICES | 1,828,065 | 1,677,919 | 700 | 149,446 | 91.8% | |
| SUPPORT SERVICES | 1,784,128 | 1,389,983 | 95,137 | 299,008 | 83.2% | |
| <i>Total</i> | <u>4,032,487</u> | <u>3,443,834</u> | <u>95,837</u> | <u>492,816</u> | 87.8% | <u>3,355,911</u> |
| TOTAL COMMUNITY SERVICES | <u>16,828,182</u> | <u>14,666,673</u> | <u>406,523</u> | <u>1,754,986</u> | 89.6% | <u>14,419,573</u> |
| COMMUNITY DEVELOPMENT | | | | | | |
| <u>Community Development</u> | | | | | | |
| ADMINISTRATION | 456,182 | 386,025 | 3,887 | 66,270 | 85.5% | |
| ECON DEV | 52,667 | 39,950 | - | 12,717 | 75.9% | |
| CITY ARTS ADVISORY PROGRAM | 427,260 | 427,260 | - | - | 100.0% | |
| HUMAN SVCS | 855,862 | 792,858 | 37,886 | 25,119 | 97.1% | |
| RDA | 715,653 | 556,441 | - | 159,212 | 77.8% | |
| RDA HSG DEV | 611,074 | 472,088 | - | 138,986 | 77.3% | |
| LR PLANNING/STUDIES | 826,558 | 654,260 | 223 | 172,075 | 79.2% | |
| DEV & DESIGN REVIEW | 1,075,206 | 901,276 | 13,897 | 160,033 | 85.1% | |
| ZONING | 1,245,146 | 1,019,609 | 2,004 | 223,532 | 82.0% | |
| DESIGN REV & HIST PRESERVATN | 975,603 | 836,870 | 5,436 | 133,296 | 86.3% | |
| BLDG PERMITS | 1,048,775 | 917,785 | 5,054 | 125,936 | 88.0% | |
| RECORDS & ARCHIVES | 529,868 | 421,236 | 8,107 | 100,524 | 81.0% | |
| PLAN CK & COUNTER SRV | 1,271,905 | 1,013,213 | 217 | 258,475 | 79.7% | |
| <i>Total</i> | <u>10,091,759</u> | <u>8,438,880</u> | <u>76,711</u> | <u>1,576,167</u> | 84.4% | <u>8,706,699</u> |
| TOTAL COMMUNITY DEVELOPMENT | <u>10,091,759</u> | <u>8,438,880</u> | <u>76,711</u> | <u>1,576,167</u> | 84.4% | <u>8,706,699</u> |
| NON-DEPARTMENTAL | | | | | | |
| <u>Non-Departmental</u> | | | | | | |
| DUES, MEMBERSHIPS, & LICENSES | 22,272 | 21,933 | - | 339 | 98.5% | |

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

| | Annual Budget | YTD Actual | Encum- brances | ** Remaining Balance | YTD Expended and Encumbered | Previous YTD |
|-------------------------------|--------------------------|-----------------------|---------------------------|---------------------------------|--|-------------------------|
| NON-DEPARTMENTAL | | | | | | |
| <u>Non-Departmental</u> | | | | | | |
| COMMUNITY PROMOTIONS | 1,536,799 | 1,590,719 | - | (53,920) | 103.5% | |
| SPECIAL PROJECTS | 381,073 | 317,351 | - | 63,722 | 83.3% | |
| TRANSFERS OUT | 43,500 | 39,875 | - | 3,625 | 91.7% | |
| DEBT SERVICE TRANSFERS | 349,983 | 338,594 | - | 11,389 | 96.7% | |
| CAPITAL OUTLAY TRANSFER | 665,457 | 622,207 | - | 43,250 | 93.5% | |
| APPROP. RESERVE | 365,979 | - | - | 365,979 | 0.0% | |
| <i>Total</i> | <u>3,365,063</u> | <u>2,930,678</u> | <u>-</u> | <u>434,385</u> | 87.1% | <u>2,730,659</u> |
| TOTAL NON-DEPARTMENTAL | <u>3,365,063</u> | <u>2,930,678</u> | <u>-</u> | <u>434,385</u> | 87.1% | <u>2,730,659</u> |
| TOTAL EXPENDITURES | <u>103,716,314</u> | <u>91,945,436</u> | <u>1,091,702</u> | <u>10,679,175</u> | 89.7% | <u>90,514,587</u> |

*** The legal level of budgetary control is at the department level for the General Fund. Therefore, as long as the department as a whole is within budget, budgetary compliance has been achieved. The City actively monitors the budget status of each department and takes measures to address potential over budget situations before they occur.*

For Enterprise and Internal Service Funds, the legal level of budgetary control is at the fund level. The City also monitors and addresses these fund types for potential over budget situations.

CITY OF SANTA BARBARA
Special Revenue Funds
Interim Statement of Revenues and Expenditures
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

| | Annual Budget | YTD Actual | Encum- brances | Remaining Balance | Percent of Budget |
|--|--------------------------|-----------------------|---------------------------|------------------------------|------------------------------|
| TRAFFIC SAFETY FUND | | | | | |
| Revenue | 515,000 | 433,735 | - | 81,265 | 84.2% |
| Expenditures | 515,000 | 433,735 | - | 81,265 | 84.2% |
| <i>Revenue Less Expenditures</i> | - | - | - | - | |
| CREEK RESTORATION/WATER QUALITY IMPRVMT | | | | | |
| Revenue | 2,800,800 | 2,614,149 | - | 186,651 | 93.3% |
| Expenditures | 3,545,725 | 2,580,168 | 351,363 | 614,194 | 82.7% |
| <i>Revenue Less Expenditures</i> | (744,925) | 33,981 | (351,363) | (427,543) | |
| SOLID WASTE PROGRAM | | | | | |
| Revenue | 18,331,232 | 17,133,238 | - | 1,197,994 | 93.5% |
| Expenditures | 19,129,869 | 16,886,438 | 289,222 | 1,954,210 | 89.8% |
| <i>Revenue Less Expenditures</i> | (798,637) | 246,800 | (289,222) | (756,216) | |
| COMM.DEVELOPMENT BLOCK GRANT | | | | | |
| Revenue | 2,730,423 | 954,211 | - | 1,776,213 | 34.9% |
| Expenditures | 2,730,423 | 1,498,692 | 184,347 | 1,047,385 | 61.6% |
| <i>Revenue Less Expenditures</i> | - | (544,482) | (184,347) | 728,828 | |
| COUNTY LIBRARY | | | | | |
| Revenue | 1,944,769 | 1,297,825 | - | 646,944 | 66.7% |
| Expenditures | 2,058,536 | 1,702,798 | 87,129 | 268,609 | 87.0% |
| <i>Revenue Less Expenditures</i> | (113,767) | (404,974) | (87,129) | 378,336 | |
| STREETS FUND | | | | | |
| Revenue | 10,598,577 | 9,794,344 | - | 804,233 | 92.4% |
| Expenditures | 14,646,871 | 9,934,762 | 1,238,237 | 3,473,872 | 76.3% |
| <i>Revenue Less Expenditures</i> | (4,048,294) | (140,418) | (1,238,237) | (2,669,640) | |
| MEASURE A | | | | | |
| Revenue | 2,774,034 | 2,790,691 | - | (16,657) | 100.6% |
| Expenditures | 3,335,145 | 2,524,875 | 487,786 | 322,483 | 90.3% |
| <i>Revenue Less Expenditures</i> | (561,111) | 265,815 | (487,786) | (339,140) | |

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

WATER OPERATING FUND

| | Annual Budget | YTD Actual | Encum- brances | Remaining Balance | Percent of Budget | Previous YTD |
|--------------------------------|--------------------------|-----------------------|---------------------------|------------------------------|------------------------------|-------------------------|
| REVENUES | | | | | | |
| Water Sales - Metered | 30,700,000 | 26,971,809 | - | 3,728,191 | 87.9% | 25,041,806 |
| Service Charges | 450,192 | 726,241 | - | (276,049) | 161.3% | 808,415 |
| Cater JPA Treatment Charges | 2,619,000 | 2,980,480 | - | (361,480) | 113.8% | 2,563,160 |
| Investment Income | 791,800 | 639,190 | - | 152,610 | 80.7% | 878,687 |
| Miscellaneous | 604,691 | 737,471 | - | (132,780) | 122.0% | 514,198 |
| Operating Transfers-In | 3,002,133 | 2,960,008 | - | 42,125 | 98.6% | - |
| TOTAL REVENUES | 38,167,816 | 35,015,198 | - | 3,152,618 | 91.7% | 29,806,265 |
| EXPENSES | | | | | | |
| Salaries & Benefits | 7,649,148 | 6,580,506 | - | 1,068,642 | 86.0% | 6,568,282 |
| Materials, Supplies & Services | 9,975,765 | 6,079,548 | 1,482,321 | 2,413,896 | 75.8% | 6,484,339 |
| Special Projects | 1,438,061 | 382,058 | 109,880 | 946,123 | 34.2% | 210,839 |
| Water Purchases | 7,723,468 | 6,440,911 | 208,885 | 1,073,672 | 86.1% | 6,006,889 |
| Debt Service | 4,831,189 | 3,658,513 | - | 1,172,676 | 75.7% | 3,739,116 |
| Capital Outlay Transfers | 11,284,416 | 10,344,048 | - | 940,368 | 91.7% | 3,070,560 |
| Equipment | 215,777 | 81,825 | 47,590 | 86,362 | 60.0% | 75,888 |
| Capitalized Fixed Assets | 124,200 | 78,093 | 5,241 | 40,866 | 67.1% | 116,635 |
| Other | 55,000 | 27,215 | - | 27,785 | 49.5% | 26,843 |
| Appropriated Reserve | 150,000 | - | - | 150,000 | 0.0% | - |
| TOTAL EXPENSES | 43,447,024 | 33,672,718 | 1,853,916 | 7,920,389 | 81.8% | 26,299,392 |

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

WASTEWATER OPERATING FUND

| | Annual Budget | YTD Actual | Encum- brances | Remaining Balance | Percent of Budget | Previous YTD |
|--------------------------------|--------------------------|-----------------------|---------------------------|------------------------------|------------------------------|-------------------------|
| REVENUES | | | | | | |
| Service Charges | 14,926,192 | 13,467,686 | - | 1,458,506 | 90.2% | 12,698,458 |
| Fees | 493,222 | 622,030 | - | (128,808) | 126.1% | 758,205 |
| Investment Income | 267,300 | 204,388 | - | 62,912 | 76.5% | 265,083 |
| Public Works | 10,000 | 34,776 | - | (24,776) | 347.8% | 38,062 |
| Miscellaneous | 25,000 | 32,520 | - | (7,520) | 130.1% | 79,966 |
| Operating Transfers-In | 674,096 | 617,921 | - | 56,175 | 91.7% | - |
| TOTAL REVENUES | 16,395,810 | 14,979,321 | - | 1,416,489 | 91.4% | 13,839,774 |
| EXPENSES | | | | | | |
| Salaries & Benefits | 5,148,257 | 4,516,294 | - | 631,963 | 87.7% | 4,456,349 |
| Materials, Supplies & Services | 6,195,715 | 5,181,644 | 791,538 | 222,533 | 96.4% | 4,841,739 |
| Special Projects | 100,000 | 2,104 | - | 97,896 | 2.1% | 152,496 |
| Debt Service | 1,352,213 | 1,280,243 | - | 71,970 | 94.7% | 1,280,595 |
| Capital Outlay Transfers | 4,592,559 | 4,209,846 | - | 382,713 | 91.7% | 5,770,875 |
| Equipment | 98,044 | 33,074 | 44 | 64,926 | 33.8% | 32,455 |
| Capitalized Fixed Assets | 26,000 | 14,357 | 5,458 | 6,185 | 76.2% | 65,944 |
| Other | 5,000 | 1,000 | - | 4,000 | 20.0% | 1,000 |
| Appropriated Reserve | 150,000 | - | - | 150,000 | 0.0% | - |
| TOTAL EXPENSES | 17,667,788 | 15,238,562 | 797,040 | 1,632,187 | 90.8% | 16,601,453 |

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)
DOWNTOWN PARKING

| | Annual Budget | YTD Actual | Encum- brances | Remaining Balance | Percent of Budget | Previous YTD |
|--------------------------------|--------------------------|-----------------------|---------------------------|------------------------------|------------------------------|-------------------------|
| REVENUES | | | | | | |
| Improvement Tax | 840,000 | 894,760 | - | (54,760) | 106.5% | 813,170 |
| Parking Fees | 5,662,166 | 5,636,815 | - | 25,351 | 99.6% | 5,131,862 |
| Investment Income | 137,600 | 108,451 | - | 29,149 | 78.8% | 136,558 |
| Rents & Concessions | 40,925 | 40,925 | - | - | 100.0% | 23,740 |
| Reimbursements | - | - | - | - | 100.0% | 4,598 |
| Miscellaneous | 1,500 | (805) | - | 2,305 | -53.6% | 12,184 |
| Operating Transfers-In | 353,858 | 324,370 | - | 29,488 | 91.7% | 39,875 |
| TOTAL REVENUES | 7,036,049 | 7,004,516 | - | 31,533 | 99.6% | 6,161,988 |
| EXPENSES | | | | | | |
| Salaries & Benefits | 3,799,707 | 3,420,639 | - | 379,068 | 90.0% | 3,325,435 |
| Materials, Supplies & Services | 1,842,052 | 1,485,623 | 98,699 | 257,730 | 86.0% | 1,356,443 |
| Special Projects | 574,522 | 450,126 | 39,578 | 84,817 | 85.2% | 303,138 |
| Transfers-Out | 297,121 | 272,361 | - | 24,760 | 91.7% | 286,569 |
| Capital Outlay Transfers | 1,043,270 | 956,331 | - | 86,939 | 91.7% | 605,000 |
| Equipment | 25,760 | 3,437 | 5,980 | 16,343 | 36.6% | 12,687 |
| TOTAL EXPENSES | 7,582,431 | 6,588,517 | 144,257 | 849,658 | 88.8% | 5,889,272 |

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)
AIRPORT OPERATING FUND

| | Annual Budget | YTD Actual | Encum- brances | Remaining Balance | Percent of Budget | Previous YTD |
|----------------------------------|--------------------------|-----------------------|---------------------------|------------------------------|------------------------------|-------------------------|
| REVENUES | | | | | | |
| Leases - Commercial / Industrial | 4,171,000 | 3,974,800 | - | 196,200 | 95.3% | 3,928,427 |
| Leases - Terminal | 5,183,033 | 4,332,303 | - | 850,730 | 83.6% | 4,483,614 |
| Leases - Non-Commerical Aviation | 1,361,600 | 1,377,461 | - | (15,861) | 101.2% | 1,373,777 |
| Leases - Commerical Aviation | 3,465,000 | 2,828,431 | - | 636,569 | 81.6% | 2,121,950 |
| Investment Income | 214,300 | 159,955 | - | 54,345 | 74.6% | 212,254 |
| Miscellaneous | 185,052 | 235,821 | - | (50,769) | 127.4% | 147,039 |
| Operating Transfers-In | 450,503 | 275,152 | - | 175,351 | 61.1% | - |
| TOTAL REVENUES | 15,030,488 | 13,183,923 | - | 1,846,565 | 87.7% | 12,267,061 |
| EXPENSES | | | | | | |
| Salaries & Benefits | 5,001,631 | 4,476,871 | - | 524,760 | 89.5% | 4,294,970 |
| Materials, Supplies & Services | 6,646,161 | 5,452,411 | 434,556 | 759,194 | 88.6% | 5,406,228 |
| Special Projects | 941,298 | 628,309 | - | 312,989 | 66.7% | 583,768 |
| Transfers-Out | 44,212 | 40,528 | - | 3,684 | 91.7% | 28,462 |
| Debt Service | 1,113,099 | - | - | 1,113,099 | 0.0% | - |
| Capital Outlay Transfers | 3,853,399 | 3,741,133 | - | 112,266 | 97.1% | 2,001,535 |
| Equipment | 129,276 | 61,268 | - | 68,008 | 47.4% | 25,973 |
| Appropriated Reserve | 181,613 | - | - | 181,613 | 0.0% | - |
| TOTAL EXPENSES | 17,910,688 | 14,400,519 | 434,556 | 3,075,613 | 82.8% | 12,340,934 |

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

GOLF COURSE FUND

| | Annual Budget | YTD Actual | Encum- brances | Remaining Balance | Percent of Budget | Previous YTD |
|--------------------------------|--------------------------|-----------------------|---------------------------|------------------------------|------------------------------|-------------------------|
| REVENUES | | | | | | |
| Fees & Card Sales | 1,640,801 | 1,372,894 | - | 267,907 | 83.7% | 1,367,344 |
| Investment Income | 9,900 | 9,409 | - | 491 | 95.0% | 11,533 |
| Rents & Concessions | 302,322 | 223,014 | - | 79,308 | 73.8% | 281,646 |
| Miscellaneous | 3,500 | 335 | - | 3,165 | 9.6% | 56,563 |
| Operating Transfers-In | 103,623 | 94,988 | - | 8,635 | 91.7% | - |
| TOTAL REVENUES | 2,060,146 | 1,700,639 | - | 359,507 | 82.5% | 1,717,086 |
| EXPENSES | | | | | | |
| Salaries & Benefits | 1,111,449 | 991,315 | - | 120,134 | 89.2% | 1,007,465 |
| Materials, Supplies & Services | 547,478 | 429,844 | 86,497 | 31,137 | 94.3% | 458,205 |
| Special Projects | 10,724 | - | 4,524 | 6,200 | 42.2% | 2,490 |
| Debt Service | 230,294 | 180,294 | - | 50,000 | 78.3% | 180,532 |
| Capital Outlay Transfers | 92,036 | 84,366 | - | 7,670 | 91.7% | 64,167 |
| Equipment | 27,500 | 1,013 | - | 26,487 | 3.7% | 3,897 |
| Other | 1,014 | 847 | - | 167 | 83.5% | 847 |
| Appropriated Reserve | 45,375 | - | - | 45,375 | 0.0% | - |
| TOTAL EXPENSES | 2,065,870 | 1,687,679 | 91,021 | 287,170 | 86.1% | 1,717,603 |

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

INTRA-CITY SERVICE FUND

| | Annual Budget | YTD Actual | Encum- brances | Remaining Balance | Percent of Budget | Previous YTD |
|--------------------------------|--------------------------|-----------------------|---------------------------|------------------------------|------------------------------|-------------------------|
| REVENUES | | | | | | |
| Service charges | 99,584 | 91,285 | - | 8,299 | 91.7% | - |
| Work Orders - Bldg Maint. | 3,035,446 | 2,882,667 | - | 152,779 | 95.0% | 2,984,945 |
| Grants | 810,764 | 542,409 | - | 268,355 | 66.9% | 125,499 |
| Service Charges | 2,033,543 | 1,864,163 | - | 169,380 | 91.7% | 1,588,185 |
| Reimbursements | - | 792 | - | (792) | 100.0% | - |
| Miscellaneous | 360,000 | 11,738 | - | 348,262 | 3.3% | 16,156 |
| Operating Transfers-In | 383,226 | 355,318 | - | 27,909 | 92.7% | - |
| TOTAL REVENUES | 6,722,563 | 5,748,373 | - | 974,190 | 85.5% | 4,714,784 |
| EXPENSES | | | | | | |
| Salaries & Benefits | 3,107,626 | 2,726,653 | - | 380,973 | 87.7% | 2,550,382 |
| Materials, Supplies & Services | 1,105,502 | 976,469 | 88,201 | 40,832 | 96.3% | 884,952 |
| Special Projects | 1,956,847 | 1,241,297 | 235,759 | 479,791 | 75.5% | 843,636 |
| Equipment | 15,000 | 2,661 | 345 | 11,994 | 20.0% | 13,540 |
| Capitalized Fixed Assets | 774,595 | 488,374 | 197,155 | 89,066 | 88.5% | 183,279 |
| TOTAL EXPENSES | 6,959,569 | 5,435,454 | 521,459 | 1,002,656 | 85.6% | 4,475,789 |

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

FLEET REPLACEMENT FUND

| | Annual Budget | YTD Actual | Encum- brances | Remaining Balance | Percent of Budget | Previous YTD |
|--------------------------------|--------------------------|-----------------------|---------------------------|------------------------------|------------------------------|-------------------------|
| REVENUES | | | | | | |
| Vehicle Rental Charges | 1,805,982 | 1,651,095 | - | 154,888 | 91.4% | 1,642,141 |
| Investment Income | 149,700 | 126,662 | - | 23,038 | 84.6% | 146,912 |
| Rents & Concessions | 224,401 | 205,701 | - | 18,700 | 91.7% | 212,979 |
| Miscellaneous | 50,000 | 78,470 | - | (28,470) | 156.9% | 46,289 |
| TOTAL REVENUES | 2,230,083 | 2,061,928 | - | 168,155 | 92.5% | 2,048,321 |
| EXPENSES | | | | | | |
| Salaries & Benefits | 158,537 | 147,207 | - | 11,330 | 92.9% | 139,117 |
| Materials, Supplies & Services | 2,452 | 1,685 | - | 767 | 68.7% | 1,585 |
| Special Projects | 300,000 | - | - | 300,000 | 0.0% | - |
| Capitalized Fixed Assets | 1,041,657 | 320,051 | 613,168 | 108,437 | 89.6% | 1,774,997 |
| TOTAL EXPENSES | 1,502,646 | 468,944 | 613,168 | 420,534 | 72.0% | 1,915,700 |

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

FLEET MAINTENANCE FUND

| | Annual Budget | YTD Actual | Encum- brances | Remaining Balance | Percent of Budget | Previous YTD |
|--------------------------------|--------------------------|-----------------------|---------------------------|------------------------------|------------------------------|-------------------------|
| REVENUES | | | | | | |
| Vehicle Maintenance Charges | 2,371,918 | 2,174,258 | - | 197,660 | 91.7% | 2,171,966 |
| Miscellaneous | 60,000 | 32,426 | - | 27,574 | 54.0% | 7,520 |
| Operating Transfers-In | 98,805 | 90,571 | - | 8,234 | 91.7% | - |
| TOTAL REVENUES | 2,530,723 | 2,297,254 | - | 233,469 | 90.8% | 2,179,486 |
| EXPENSES | | | | | | |
| Salaries & Benefits | 1,147,349 | 1,049,819 | - | 97,530 | 91.5% | 1,042,541 |
| Materials, Supplies & Services | 1,269,663 | 915,027 | 112,434 | 242,202 | 80.9% | 977,246 |
| Special Projects | 60,000 | 31,351 | 23,194 | 5,456 | 90.9% | 36,270 |
| Equipment | 5,000 | 810 | - | 4,190 | 16.2% | 1,653 |
| Capitalized Fixed Assets | - | - | 500 | (500) | 100.0% | - |
| TOTAL EXPENSES | 2,482,012 | 1,997,007 | 136,128 | 348,877 | 85.9% | 2,057,710 |

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)
SELF INSURANCE TRUST FUND

| | ** Annual Budget | YTD Actual | Encum- brances | Remaining Balance | Percent of Budget | Previous YTD |
|--------------------------------|-----------------------------|-----------------------|---------------------------|------------------------------|------------------------------|-------------------------|
| REVENUES | | | | | | |
| Insurance Premiums | 2,547,084 | 2,334,827 | - | 212,257 | 91.7% | 2,369,296 |
| Workers' Compensation Premiums | 2,500,000 | 2,291,666 | - | 208,334 | 91.7% | 2,423,283 |
| OSH Charges | 182,894 | - | - | 182,894 | 0.0% | - |
| Investment Income | 161,700 | 105,057 | - | 56,643 | 65.0% | 164,308 |
| Reimbursements | - | 967 | - | (967) | 100.0% | 316 |
| Miscellaneous | - | 24,255 | - | (24,255) | 100.0% | 47,414 |
| TOTAL REVENUES | 5,391,678 | 4,756,771 | - | 634,907 | 88.2% | 5,004,617 |
| EXPENSES | | | | | | |
| Salaries & Benefits | 500,761 | 402,907 | - | 97,854 | 80.5% | 364,679 |
| Materials, Supplies & Services | 4,860,238 | 4,450,009 | 140,343 | 269,885 | 94.4% | 4,284,217 |
| Special Projects | - | - | - | - | 100.0% | 100 |
| Transfers-Out | 3,694,328 | 3,386,121 | - | 308,207 | 91.7% | 717,988 |
| Equipment | - | - | - | - | 100.0% | 650 |
| TOTAL EXPENSES | 9,055,327 | 8,239,037 | 140,343 | 675,946 | 92.5% | 5,367,634 |

**** The Self Insurance Trust Fund is an internal service fund of the City, which accounts for the cost of providing workers' compensation, property and liability insurance as well as unemployment insurance and certain self-insured employee benefits on a city-wide basis. Internal Service Funds charge other funds for the cost of providing their specific services.**

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

INFORMATION SYSTEMS ICS FUND

| | Annual Budget | YTD Actual | Encum- brances | Remaining Balance | Percent of Budget | Previous YTD |
|--------------------------------|--------------------------|-----------------------|---------------------------|------------------------------|------------------------------|-------------------------|
| REVENUES | | | | | | |
| Service charges | 2,286,395 | 2,095,861 | - | 190,534 | 91.7% | 2,100,618 |
| Miscellaneous | - | 1,209 | - | (1,209) | 100.0% | - |
| Operating Transfers-In | 19,740 | 18,095 | - | 1,645 | 91.7% | 37,200 |
| TOTAL REVENUES | 2,306,135 | 2,115,164 | - | 190,971 | 91.7% | 2,137,818 |
| EXPENSES | | | | | | |
| Salaries & Benefits | 1,502,407 | 1,367,695 | - | 134,712 | 91.0% | 1,368,768 |
| Materials, Supplies & Services | 553,174 | 513,838 | 50,410 | (11,075) | 102.0% | 460,804 |
| Special Projects | 3,700 | 5,860 | 1,623 | (3,783) | 202.2% | 4,063 |
| Equipment | 276,637 | 125,868 | 22,629 | 128,141 | 53.7% | 154,987 |
| Appropriated Reserve | 11,432 | - | - | 11,432 | 0.0% | - |
| TOTAL EXPENSES | 2,347,350 | 2,013,261 | 74,661 | 259,428 | 88.9% | 1,988,621 |

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eleven Months Ended May 31, 2012 (91.7% of Fiscal Year)

WATERFRONT FUND

| | Annual Budget | YTD Actual | Encum- brances | Remaining Balance | Percent of Budget | Previous YTD |
|--------------------------------|--------------------------|-----------------------|---------------------------|------------------------------|------------------------------|-------------------------|
| REVENUES | | | | | | |
| Leases - Commercial | 1,332,869 | 1,314,496 | - | 18,373 | 98.6% | 1,224,897 |
| Leases - Food Service | 2,352,254 | 2,250,307 | - | 101,947 | 95.7% | 2,127,941 |
| Slip Rental Fees | 3,998,521 | 3,640,060 | - | 358,461 | 91.0% | 3,532,050 |
| Visitors Fees | 463,000 | 362,489 | - | 100,511 | 78.3% | 372,635 |
| Slip Transfer Fees | 425,000 | 527,000 | - | (102,000) | 124.0% | 387,750 |
| Parking Revenue | 1,911,450 | 1,793,960 | - | 117,490 | 93.9% | 1,584,787 |
| Wharf Parking | 244,000 | 227,565 | - | 16,435 | 93.3% | 197,483 |
| Other Fees & Charges | 380,911 | 311,362 | - | 69,549 | 81.7% | 342,898 |
| Investment Income | 185,859 | 154,318 | - | 31,541 | 83.0% | 181,673 |
| Rents & Concessions | 301,173 | 289,911 | - | 11,262 | 96.3% | 304,021 |
| Grants | - | - | - | - | 100.0% | 4,256 |
| Miscellaneous | 155,000 | 219,434 | - | (64,434) | 141.6% | 136,842 |
| Operating Transfers-In | 453,481 | 415,691 | - | 37,790 | 91.7% | - |
| TOTAL REVENUES | 12,203,518 | 11,506,594 | - | 696,924 | 94.3% | 10,397,235 |
| EXPENSES | | | | | | |
| Salaries & Benefits | 5,461,051 | 4,974,186 | - | 486,865 | 91.1% | 5,001,177 |
| Materials, Supplies & Services | 3,455,120 | 2,935,152 | 478,318 | 41,650 | 98.8% | 2,783,138 |
| Special Projects | 137,020 | 110,888 | - | 26,132 | 80.9% | 92,603 |
| Debt Service | 1,776,789 | 1,412,756 | - | 364,033 | 79.5% | 1,415,238 |
| Capital Outlay Transfers | 934,483 | 856,609 | - | 77,874 | 91.7% | 888,581 |
| Equipment | 117,500 | 67,146 | 7,662 | 42,692 | 63.7% | 28,964 |
| Capitalized Fixed Assets | 50,000 | - | 42,345 | 7,655 | 84.7% | - |
| Other | - | 2,540 | - | (2,540) | 100.0% | 2,540 |
| Appropriated Reserve | 50,000 | - | - | 50,000 | 0.0% | - |
| TOTAL EXPENSES | 11,981,963 | 10,359,277 | 528,325 | 1,094,361 | 90.9% | 10,212,241 |

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Amendment To Caltrans Agreement For State Route 192 Utility Relocations

RECOMMENDATION:

That Council authorize the Public Works Director to execute an amendment to Utility Agreement No. 05-UT-1015.703 with the California Department of Transportation, District 5, for relocation of City water line facilities, which increases the reimbursement by the City to Caltrans for relocation costs to a total of \$138,980.

DISCUSSION:

The California Department of Transportation (Caltrans) State Route 192 Highway Improvement Project (Project) included constructing a storm drain to replace surface drainage along the northerly and southerly shoulders between Alamar Avenue and Mission Canyon Road within the County's jurisdiction. However, City water line facilities were in conflict with the proposed drainage improvements and needed to be relocated as part of the Project. Since the State Route 192 right-of-way preceded installation of the City's water utilities in this area, the City is required by the statutes of the easement agreement to pay for all costs associated with the water line facility relocation. City staff and Caltrans collaborated on a design for relocation of the water line facilities, with an estimated construction cost of \$80,950. On March, 3, 2009, Council authorized the Public Works Director to execute an agreement to reimburse Caltrans up to an award amount not to exceed \$80,950.

During construction, conditions varied around the storm drain, and the alignment of the water main was altered. The tie-in locations changed, and additional water main work was required. The contractor encountered a few problems during the Project that included providing temporary water service to the area during construction and testing of the main. As a result, the contractor submitted a large list of additional costs to Caltrans. The City and Caltrans have worked together to clarify and negotiate the final cost of the water main work, reaching an agreement to the final costs in June 2012.

The subject amendment alters the original agreement approved by Council action, and addresses the final negotiated cost to the City of \$138,980.

BUDGET/FINANCIAL INFORMATION:

The funds for relocation of the water facilities for the Project are available in the Water Capital Fund.

PREPARED BY: Joshua Haggmark, Principal Civil Engineer/TDG/mj

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Construction For The El Estero Wastewater Treatment Plant Influent Pumps Replacement Project

RECOMMENDATION: That Council:

- A. Award a contract with GSE Construction Co. in their low bid amount of \$2,583,700 for construction of the El Estero Wastewater Treatment Plant Influent Pumps Replacement Project, Bid No. 3607;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$258,370 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;
- C. Authorize the Public Works Director to execute a contract with Brown & Caldwell in the amount of \$178,892 for design support services during construction, and approve expenditures of up to \$17,890 for extra services of Brown & Caldwell that may result from necessary changes in the scope of work; and
- D. Authorize the Public Works Director to execute a contract with Mimiaga Engineering Group in the amount of \$264,000 for construction management services, and approve expenditures of up to \$26,400 for extra services of Mimiaga Engineering Group that may result from necessary changes in the scope of work.

DISCUSSION:

PROJECT DESCRIPTION

The El Estero Wastewater Treatment Plant (El Estero) influent pumps move an average of 8 million gallons of wastewater per day from the headworks screening facility, approximately 70 feet in elevation, to the first of the El Estero treatment tanks, the grit chamber. The pumps are capable of handling wet weather flows in excess of 30 million gallons per day. Three of the existing pumps were installed in the 1970s, and a fourth pump was installed in 2006.

Council Agenda Report

Contract For Construction For The El Estero Wastewater Treatment Plant Influent Pumps Replacement Project

July 17, 2012

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On December 8, 2009, Council authorized a Professional Services Contract with Brown & Caldwell (B&C) for final design services, which included pump replacement plans and specifications, ventilation improvements, and bid support.

On March 15, 2011, Council authorized an increase in extra services to gather additional information on plant flows and to make design modifications as needed, for fan and duct replacement design, and to conduct an electrical assessment of the existing 900-kilowatt emergency backup generator. Council subsequently authorized a second increase in extra services on March 13, 2012. This was to cover out-of-scope work necessary to revise the drawings and specifications. Staff had identified an opportunity to avoid an estimated \$1.3 million in bypass pumping costs for the construction of the Influent Pumps Replacement Project (IPS Project) by doing additional work as part of the already awarded Headworks Screening Replacement Project (Headworks). The extra services also covered the costs to evaluate the reuse of two existing pump motors, provide odor control, coordinate the motor control center, which will be installed as part of the Headworks Project, and provide additional project management support.

The work generally consists of replacing the four existing influent pumps, shafts and motors, replacement of two existing variable frequency drives, and new ventilation ductwork to replace the existing ductwork.

CONTRACT BIDS

A total of 6 bids were received for the subject work, ranging as follows:

| | BIDDER | BID AMOUNT |
|----|--|-------------------|
| 1. | GSE Construction Co. Livermore, CA | \$2,583,700 |
| 2. | C.W. Roen Construction Danville, CA | \$2,692,000 |
| 3. | Stanek Constructors, Inc. Escondido, CA | \$2,750,000 |
| 4. | Spiess Construction Co. Santa Maria, CA | \$2,774,530 |
| 5. | Nicholas Construction, Inc. Shafter, CA | \$3,071,000 |
| 6. | John Madonna Construction Co. San Luis Obispo, CA | \$3,451,600 |

Council Agenda Report

Contract For Construction For The El Estero Wastewater Treatment Plant Influent Pumps Replacement Project

July 17, 2012

Page 3

The low bid of \$2,583,700, submitted by GSE Construction Co., is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$258,370, or 10 percent, is typical for this type of work and size of project.

CONSTRUCTION PHASE CONTRACT SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with B&C in the amount of \$178,892 for design support services during construction, and approve expenditures of up to \$17,890 for extra services that may result from necessary changes in the scope of work. The extra services funding recommendation of 10 percent is typical for this scope of work. B&C designed the IPS Project and their involvement in construction is integral to the Project.

Staff recommends that Council authorize the Public Works Director to execute a contract with Mimiaga Engineering Group (MEG) in the amount of \$264,000 for construction management services with \$26,400 for extra services. The extra services funding recommendation of 10 percent is typical for this scope of work. MEG was originally selected by a Request for Proposal process for the Headworks Project; however, both the Headworks and IPS Projects will be actively in construction at the same time and within the same building. Therefore, MEG was also selected to provide construction management services for the IPS Project.

FUNDING

There are sufficient funds in the Wastewater Fund to cover the cost of the IPS Project.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

| | Basic Contract | Change Funds | Total |
|--|----------------|--------------|--------------------|
| GSE | \$2,583,700 | \$258,370 | \$2,842,070 |
| B&C | \$178,892 | \$17,890 | \$196,782 |
| MEG | \$264,000 | \$26,400 | \$290,400 |
| TOTAL RECOMMENDED AUTHORIZATION | | | \$3,329,252 |

The following summarizes all Project design costs, construction contract funding, and other Project costs:

ESTIMATED TOTAL PROJECT COST

**Cents have been rounded to the nearest dollar in this table.*

| | |
|---|--------------------|
| Design (by Contract) | \$380,394 |
| City Staff Design Costs | \$42,250 |
| Subtotal | \$422,644 |
| Construction Contract | \$2,583,700 |
| Construction Change Order Allowance | \$258,370 |
| Design Support Services during Construction (by Contract) | \$196,782 |
| Construction Management/Inspection (by Contract) | \$290,400 |
| Subtotal | \$3,329,252 |
| Other Construction Costs (permits, etc.) | \$2,755 |
| Construction Project Administration (by City Staff) | \$26,102 |
| Subtotal | \$28,857 |
| TOTAL PROJECT COST | \$3,780,753 |

SUSTAINABILITY IMPACT:

The IPS Project addresses replacement of a critical asset for the City's wastewater treatment process, which protects human health and the environment.

PREPARED BY: Joshua Haggmark, Principal Civil Engineer/LA/sk

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Contract For Development Of Wastewater Collection System
Strategic Management Program – Phase III

RECOMMENDATION:

That Council authorize the Public Works Director to execute a contract with Brown and Caldwell in the amount of \$100,925 for Wastewater Collection System maintenance-related business process development and the related Sewer System Management Plan update, and authorize the Public Works Director to approve expenditures of up to \$10,093 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work, for a total of \$111,018.

DISCUSSION:

The City of Santa Barbara owns and operates a 257-mile municipal wastewater collection system. Sewer mains in this system range in size from 6 to 42 inches in diameter. In order to minimize the occurrence of sanitary sewer overflows from this system, it is imperative that sewer system management activities are conducted efficiently and effectively. Staff has identified that there are opportunities to be gained through better utilization of technology in planning and assessing its current Wastewater Collection System Capital Improvement Program project and maintenance work.

The City issued a Request for Proposals and received three proposals from engineering firms interested in performing this business process development and related work. On October 21, 2010, staff, along with a Water Commissioner, interviewed these three qualified firms. From this competitive process, Brown and Caldwell were selected as the most qualified consultant for this work effort. Brown and Caldwell now have completed two contract phases of work totaling \$493,436 over the past two years.

Phase I of this contract work was approved by City Council on January 11, 2011, and focused on the development of a comprehensive maintenance management program. This contract work has been completed and the updated program is in operation. Phase II contract work was approved by City Council on June 7, 2011. It focused upon the development of Capital Improvement Program (CIP) prioritization schedules for sewer main rehabilitation and replacement projects, wastewater lift station improvement

projects, improvements to the City's restaurant grease inspection program, and updates to the City's current Sewer System Management Plan documentation. Phase II is expected to be completed in July, 2012.

The proposed Phase III Contract Amendment scope of work will consist of: Wastewater Collection System work plan document updates; priority process improvements related to pipe repair/replacement and closed-circuit television (CCTV) activities; and sewer main cleaning work order planning process refinements.

At their meeting on July 11, 2012, the Board of Water Commissioners voted 3-0-0 to concur with staff's recommendation.

BUDGET/FINANCIAL INFORMATION:

This project was anticipated, and there are adequate appropriated funds in the Wastewater Capital Fund for this professional consultant work.

SUSTAINABILITY IMPACT:

Business process changes in Wastewater Collection System management and related planning activities will result in more efficient heavy vehicle usage, allowing the City to reduce vehicle fuel consumption and greenhouse gas emissions over time.

PREPARED BY: Christopher Toth, Wastewater System Manager/CJT/avb

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Survey Services For Wastewater Collection System Survey Project

RECOMMENDATION:

That Council authorize the Public Works Director to execute a City Professional Services Contract with Penfield and Smith in the amount of \$211,780 for survey services for the Wastewater Collection System Survey Project, and authorize the Public Works Director to approve expenditures of up to \$21,180 for extra services that may result from necessary changes in the scope of work.

DISCUSSION:

BACKGROUND

The City of Santa Barbara owns and operates approximately 257 miles of wastewater collection system pipe. The collection system is made up of roughly 6,938 manholes and cleanouts and 7,238 pipes ranging from 6 to 42 inches in diameter. To manage these assets, information about the wastewater collection system is stored in the City's Geographic Information System (GIS). The GIS contains attribute data such as the size, location, age, and pipe material for each pipe segment in the collection system. While there is a large amount of attribute data populated in the GIS, there still remains a need to collect more information on the exact location and elevation of the mains and manholes to help better prioritize repair work.

PROJECT DESCRIPTION

The Wastewater Collection System Survey Project (Project) consists of surveying approximately 1,742 sewer manholes and storm drain structures throughout the City in order to obtain sewer and storm drain pipe infrastructure elevations. The data will allow staff to analyze the spatial relationship between the sewer and storm drain infrastructure in order to improve the way that City staff prioritizes pipes for rehabilitation and repair projects.

CONSULTANT ENGINEERING SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with Penfield and Smith in the amount of \$232,960 for survey services. A Request for Proposals was issued to six firms for the Project, and Penfield and Smith's proposal best met the City's needs. Staff has negotiated a reasonable cost for services that is responsive to the Request for Proposals.

FUNDING

The following summarizes all estimated total project costs:

ESTIMATED TOTAL PROJECT COST

| | |
|---------------------------------|------------------|
| Survey Services (by Contract) | \$232,960 |
| Project Management (City Staff) | \$35,657 |
| <i>Subtotal</i> | \$268,617 |
| TOTAL PROJECT COST | \$268,617 |

There are sufficient funds in the Wastewater Fund to cover these costs.

PREPARED BY: Joshua Haggmark, Principal Engineer/BR/sk

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: Administration Division, Parks and Recreation Department

SUBJECT: California Department Of Forestry And Fire Protection Urban Forest Management Plan Grant Award

RECOMMENDATION:

That Council increase revenues and appropriations by \$71,092 in the Parks and Recreation Department Fiscal Year 2013 Miscellaneous Grants Fund for the California Department of Forestry and Fire Protection (CAL FIRE) Urban and Community Forestry Grant.

DISCUSSION:

Background

The City of Santa Barbara has a long history of municipal tree planting and a diverse urban forest. Initially spearheaded through the horticultural and civic leadership of prominent City residents in the late 1800s, the City's urban forest is currently comprised of more than 50,000 trees along public streets and in parks and other public places, and an estimated 250,000 trees on private property. There are more than 450 species of trees on public property.

Although the City has a Street Tree Master Plan (1977) and management of the public urban forest is guided by the tree preservation policies outlined in the Santa Barbara Municipal Code (Chapter 15.20 and Chapter 15.24), neither outline long-term management objectives including canopy cover, infrastructure constraints, environmental resources, land use, aesthetics and community objectives. In certain areas of the City, the urban forest is aging, mature trees conflict with infrastructure, and species diversity is in decline. An Urban Forest Management Plan will allow the City to establish and implement long-term objectives and effectively allocate resources.

In the last five years, the Parks and Recreation Department (Department) completed a comprehensive inventory of city street, park and facility trees, and expanded its community education and outreach programs. In addition, Council approved updates to the City's tree preservation policies that established standards and clarified tree

regulations. The next step is to develop a long-term guide for the preservation and enhancement of Santa Barbara's urban forest.

Project Description

The primary purpose of the Urban Forest Management Plan is to address long-term management objectives including canopy cover, infrastructure constraints, environmental resources, land use, aesthetics and community objectives. The Parks and Recreation Department will manage the project. The project will establish a technical advisory committee with representation from the City's Street Tree Advisory Committee, Parks and Recreation Commission, Santa Barbara Beautiful, Santa Barbara Botanic Garden, the local nursery and tree care industries, and Southern California Edison. The project will begin in July 2012 and continue through March 2014. The Department will conduct community meetings and work with Community Development and Public Works Department staff in the development of the plan.

Urban Forestry Grant Program

The Urban Forestry Grant Program, administered by CAL FIRE, provides funds to local agencies for the implementation of urban forestry projects. On February 7, 2012, the City Council adopted a resolution authorizing the Parks and Recreation Department to submit a grant proposal to CAL FIRE under the Urban Forestry Program. In May 2012, the Department was awarded grant funds in the amount of \$71,092 to complete an Urban Forest Management Plan.

BUDGET/FINANCIAL INFORMATION:

The total cost of the project is \$120,342. The Parks and Recreation Department is providing matching funds in the amount of \$49,250. This includes the in-kind value of the Assistant Director and City Arborist staff hours for project management and implementation in Fiscal Year 2013 and does not require new appropriations to the Department's annual operating budget.

SUSTAINABILITY IMPACT:

In addition to quality of life and aesthetic community benefits, the City's urban forest provides energy conservation, water quality, air quality, and wildlife habitat benefits.

PREPARED BY: Jill E. Zachary, Assistant Parks and Recreation Director

SUBMITTED BY: Nancy L. Rapp, Parks and Recreation Director

APPROVED BY: City Administrator's Office



Agenda Item No. _____

File Code No. 120.09

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Cancellation Of August 21, 2012, City Council Meeting

RECOMMENDATION:

That Council cancel the August 21, 2012, City Council meeting.

DISCUSSION:

Upon reviewing future business items, we have determined that the Council Meeting currently scheduled for Tuesday, August 21, 2012, is unnecessary. As a result, staff recommends that the meeting be cancelled.

PREPARED BY: Jennifer M. Jennings, Administrator's Office Supervisor

SUBMITTED BY: Jim Armstrong, City Administrator

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

CITY COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: Administration Division, Finance Department

SUBJECT: General Fund Reserve Policies

RECOMMENDATION:

That Council consider newly proposed policies governing the establishment and use of General Fund reserves recommended by the Finance Committee.

DISCUSSION:

In connection with their review of the Fiscal Year 2012 Recommended Budget, the Finance Committee received a report on May 17, 2011 from staff regarding the current policies guiding the establishment of reserves in all City operating funds. At that meeting, the Finance Committee expressed their interest in reevaluating and potentially modifying the current policies to address certain specific limitations and shortcomings identified by Committee members as well as any other concerns of the Council as a whole. As a result, in July 2011, after receiving feedback from the City Council, the Finance Committee was directed to work with City staff to develop recommended changes to existing policies.

Accordingly, the Finance Committee met on April 10, May 22 and June 12, 2012; and, working with staff, has crafted newly proposed reserve policies for the General Fund, which will be presented to Council for consideration.

Overview of Existing Policies (Resolution No. 95-157)

The policies contained in Resolution No. 95-157 were presented and discussed at a Council work session on October 17, 1995 and adopted on November 14, 1995 by Council.

Resolution No. 95-157 establishes policies for the City's General Fund and Enterprise Funds. It requires the establishment of four reserve "buckets" as follows:

1. Reserve for Capital – This reserve is established to cover unexpected capital needs and/or capital cost overruns. In the General Fund, the reserve should equal a fixed amount of \$1 million. In Enterprise Funds, it should either 5% of net fixed assets or the average of capital funded in the previous three years.
2. Reserve for Emergencies – As the name implies, this reserves provides funds in the case of an emergency, such as natural disaster, during which the City would be facing increased costs immediately to respond to the emergency and potentially see a decline in revenues. It should be funded at an amount equal to 25% of the operating budget.
3. Reserve for Future Years' Budgets – This reserve is intended to provide funding for ongoing costs and avoiding a disruption of services during periods of naturally occurring declines in operating revenues typically associated with economic downturns. It should be funded at an amount equal to 10% of the operating budget.
4. Appropriated Reserve – The reserve establishes an appropriation that serves as a cushion for unexpected costs. The policy requires that this be established for the General Fund and each of the Enterprise Funds in an amount equal to ½ of 1 percent of the operating budget.

The resolution also requires Council approval any time the use of these policy reserves is proposed and that any use of policy reserves be accompanied, when feasible, with a plan for replenishment within a reasonable period of time.

Lastly, the policy requires that the use of reserves must be approved by a simple majority of Council. In practice, this is done when the proposed use of reserves is presented to Council during the year or in connection with the adoption of the annual budget.

Finance Committee Recommendations

The recommendations of the Finance Committee include items suggested by staff as well as those initiated by Committee members. The recommendations also reflect the feedback received by Council in July 2011. Please refer to the attached Proposed General Fund Reserve Policies for details of the policy recommendations.

General Policy Recommendations

1. Retain Current 25% Reserve Requirement – The Finance Committee concurred with staff's recommendation that the methodology, which establishes reserves as a percentage of the operating budget, remain unchanged.

2. Eliminate the General Fund \$1 Million Capital Reserve – The effect of this recommended change would be to lower the overall reserve requirements by \$1 million in the General Fund. The existing balance in the Capital Reserve would go to the Contingency Reserve, thereby reducing the current overall shortfall by the amount.
3. Allocate Future Year-End Surpluses 50% to Capital and 50% to Restore and/Maintain Reserves as Necessary – There are two immediate funding priorities - one is to accumulate funds for future General Fund capital improvements and replacements, and the other is to restore and maintain reserves to a fully-funded status. Therefore, the Committee concurred with staff's recommendation that, in any year where there is surplus (measured at year-end as revenues over expenditures), the surplus be allocated as follows:
 - 50% would be transferred into a capital sinking fund, with the remaining 50% left in the General Fund to help rebuild and/or maintain reserves.
 - If and when reserves are fully funded pursuant to City policy, transfer 100% of any year-end surplus to the capital sinking fund.

Note that this recommendation does not mean that the annual capital program would be supplanted by any transfer of funds to a capital sinking fund. Each year, the General Fund would continue to fund the annual capital program from current revenues. The purpose of building capital reserves is to accumulate funds for larger capital projects, including those previously funded by the Redevelopment Agency.

Policy Recommendations Applicable to the Disaster Reserve

The Disaster Reserve (previously named the "Reserve for Economic Contingencies") will remain largely unchanged as proposed, but language is being recommended to provide added clarification. As proposed, the policy establishes the following requirements for the Disaster Reserve:

- It will be calculated as 15% of the operating budget (unchanged)
- It will be restricted to use in cases of natural disasters, such as floods, fires, tsunamis, earthquakes, and any other events that cause significant damage to City facilities and infrastructure.
- It will be primarily intended for state or federal declared disasters; however, can be used for other local disasters
- It can only be used after other available funds, including Contingency Reserves, are fully exhausted.
- The use of Disaster Reserves requires simple majority approval of City Council

Policy Recommendations Applicable to the Contingency Reserve

Most of the proposed changes to existing policies are in the Contingency Reserve (previously named the “Budgetary Reserve”).

The policy recommendations are summarized below:

- It will be calculated as 10% of the operating budget.
- Its purpose is to allow for the orderly implementation of a plan to address the fiscal impacts of unexpected events to minimize disruption to city.
- It should be used only for *unexpected and unplanned events* that have significant negative fiscal impact (including natural disasters) on the City’s finances.
- It should not be used for planned or anticipated events, such as negotiated increases to salaries & benefits, increases to retirement costs, or increases to health insurance premiums
- The use of Contingency Reserves will require approval by a supermajority of City Council at least 5 votes). An exception is in the case of natural disasters, wherein only a simple majority is required.

Additional policy recommendations associated with the use of Contingency Reserves are as follows:

- Assessment of Fiscal Condition – The proposed use of Contingency Reserves should be accompanied by an objective assessment of the General Fund’s fiscal condition. The purpose of the assessment is to measure and define the scope and estimated duration of the fiscal impacts. The assessment should be based on available and relevant financial and non-financial data, such as:
 - The City’s Comprehensive Annual Financial Report
 - Revenue and expenditure trends
 - Economic indexes and trends (population growth, CPI, etc.)
 - Local forecasts prepared by financial and academic institutions and paid consultants
- Development of a Balancing Strategy – The proposed use of Contingency Reserves should be accompanied by a comprehensive plan for addressing the scope and duration of the impacts, and should consider other measures to minimize use of Contingency Reserves, including:
 - Expenditure reductions achieved through efficiency measures, cuts to programs, services and staffing
 - Revenue enhancement measures that generate new or increased revenues
 - Use of available one-time funds and reserves in other funds, as allowable and appropriate

- Plan for Replenishment – The use of Contingency Reserves should be accompanied with a plan for replenishment. A one-time (1 year) use of reserves should include a specific plan for how and when reserves will be restored. If the use of Contingency Reserves is proposed for more than one year, the long-term plan can be more general.

Other Recommendations Applicable to Internal Service Funds

The Committee concurred with staff's recommendation to establish a 10% Operating Reserve Requirement for Internal Service Funds. The current reserve policies do not include Internal Service Funds (ISF's). As a reminder, ISF's are designed to provide services to other departments, such as vehicle maintenance and replacement, building maintenance, information systems, etc.

The funds that this reserve requirement would apply include the following:

1. The Information Systems Fund
2. The Vehicle Maintenance Fund
3. Facilities Management Fund

The 10% reserve requirement would not apply to the Vehicle Replacement Fund since this fund's sole purpose is to accumulate funds for the replacement of all rolling stock and does not have an operating component to it. The policy would also not apply to the Self-Insurance Fund since its primary purpose is to accumulate reserves for payment of claims and insurance funded from charges to other funds and departments; and its operating component (staffing and supplies) is relatively small.

ATTACHMENT: Proposed General Fund Reserve Policies

PREPARED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

**CITY OF SANTA BARBARA
Proposed Reserves Policies
GENERAL FUND**

GENERAL POLICY REQUIREMENTS

The reserves established pursuant to this policy are designed to provide the City with a degree of funds to address unexpected, unplanned and unbudgeted events that have a detrimental impact on the City's financial condition. The use of reserves should be considered in the context of other sources of funds that may be available, such as property and business interruption insurance reimbursements and disaster relief funds in the case of federal and/or state declared emergencies.

Calculation of the final reserve balances will be calculated at end of each year after the final closing of the accounting records and will be accounted for in each fund, as applicable, as a designation of fund balance for each type of reserve established by this policy.

As soon as practical after the close of a fiscal year, staff will provide City Council a report showing the status of reserves as of June 30. In addition, at any time the use of reserves in excess of reserves established pursuant to this policy, staff will provide a similar report on reserves and projected fiscal impact from the proposed use of reserves.

DISASTER RESERVE

The Disaster Reserve will be calculated as 15% of the adopted operating budget of the immediately following fiscal year.

The Disaster Reserve is restricted to use in addressing the financial impacts of natural disasters, such as floods, fires, tsunamis, earthquakes and any other event that results in significant damage to City facilities and infrastructure.

The use of Disaster Reserves should generally be limited to disasters that are associated with a federal and/or state declared disaster. However, the use of Disaster Reserves is allowable in cases where the natural disaster is less severe, such as a major fire to a City building that requires temporary facilities to be leased. Disaster reserves may be used only after other available funds are exhausted, including the Economic Contingency Reserve.

Examples of financial impacts that would justify the use of Disaster Reserves include:

- Extraordinary costs incurred in connection with the immediate emergency response to address public safety matters.
- Revenue losses resulting from a significant decline or temporary halt in visitors to the City due to major damage to facilities, infrastructure and local businesses.
- Additional costs necessary to maintain City operations.
- Long term costs incurred to rebuild City facilities and infrastructure.

A simple majority approval of City Council is required for any use of Disaster Reserves.

CONTINGENCY RESERVE

The Contingency Reserve is calculated based on 10% of the adopted operating budget of the immediately following fiscal year.

The main purpose of the Contingency Reserve is to allow for the orderly implementation of a balancing strategy to address the fiscal impacts of unexpected events in a manner that minimizes the impacts to the organization and community, balanced against the goal of preserving reserves.

The Contingency Reserve is restricted to addressing the impacts of unplanned and unexpected events negatively affecting General Fund revenues or expenses. Because the primary revenues in the General Fund can be volatile and fluctuate with economic cycles, an economic recession is the more typical unexpected event that negatively affects local revenues. However, unexpected events that have a financial impact on the General Fund, and the City as a whole, can also include the following:

- Natural disasters, as described above for Disaster Reserves
- Revenue impacts resulting from State of California action and unfunded State mandates
- Unexpected loss of external funding (grants, entitlements, etc.)
- An unplanned loss of, or damage to, a City facility (e.g., loss of a building due to fire)
- Mitigation of an emergency that poses a threat to public health and safety
- Adverse judicial action that requires large cash payments to third parties

The general intent of the of the Contingency Reserve is not to fund known and/or anticipated financial impacts, such as negotiated salary and benefit increases or increases to health insurance premiums or retirement costs.

The following provides specific requirements applicable to the use of Contingency Reserves.

Council Approval

Any use of Contingency Reserves, except in cases of natural disasters, requires a supermajority approval (at least 5 votes) of City Council

Assessing the Fiscal Condition and Outlook of the General Fund:

The use of Contingency Reserves should be accompanied by an objective evaluation of the General Fund's fiscal condition and an evaluation of the fiscal impacts of the event that triggered the use of reserves. The purpose of this evaluation is to measure and define the scope and duration of the problem to assist in developing an appropriate balancing strategy.

The assessment of fiscal condition should include the use of available and relevant financial and non-financial data, including but not limited to: economic and demographic indexes and trends; historical revenue and expenditures results; and local economic forecasts developed by recognized academic and financial institutions and paid consultants.

Developing a Balancing Strategy

Whenever Contingency Reserves are proposed to be used, the City Council should also approve a balancing strategy. The balancing strategy should include, as appropriate and feasible, other measures that minimize the use of Contingency Reserves, such as:

- Expenditure reductions achieved through efficiency measures, cuts to programs, services and staffing
- Revenue enhancement measures that generate new or increased revenues
- Use of existing one-time funds
- Use of available reserves in other funds, as allowable and appropriate

The balancing strategy should also be consistent with the nature of the fiscal impact. For example, a one-time impact may be resolved fully with the use of reserves, depending on its severity. However, an event that has an ongoing financial impact, such as decline in revenues due to a major recession, will require a balancing strategy that includes ongoing budget adjustments to minimize the use of reserves.

Plan of Replenishment

The use of Contingency Reserves should be accompanied by a plan for their restoration.

- A one-time (one-year) use of reserves should be accompanied by a specific plan for how and when the reserves will be restored.
- An extended use of reserves for more than one year should be accompanied by a long-term strategy that includes a more general plan for how the reserves will be restored.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: Accounting Division, Finance Department

SUBJECT: Proposed Budget Strategy For Impacts of Redevelopment Agency Dissolution

RECOMMENDATION:

| That Council hear a report from staff on the proposed budget strategy to address the financial impact of the Redevelopment Agency dissolution.

DISCUSSION:

In December 2011, the Supreme Court upheld AB 26 that dissolved redevelopment agencies (RDAs). As a result of the dissolution of the Redevelopment Agency (RDA) of the City of Santa Barbara, the City assumed the role of Successor Agency. An Oversight Board was also established to supervise the activities of the Successor Agency, and to ensure that the former RDA's assets are distributed to the taxing entities expeditiously and in a manner that maximizes value. The Oversight Board also determines whether contracts, agreements or other arrangements between the former RDA and other parties are deemed enforceable obligations through the adoption of the Recognized Obligation Payment Schedule (ROPS).

While the budgetary impacts of the RDA's dissolution to the Fiscal Year 2013 budget were not fully known when the budget was being prepared for adoption, estimates and provisions were incorporated into the adopted budget approved by Council on June 19, 2012. With respect to the current fiscal year 2012, staff has been awaiting final decisions and the closing of the books before returning to Council with the necessary changes to the budget to reflect the final impacts to the City, primarily the General Fund.

Fiscal Year 2012 General Fund Fiscal Impact

The Oversight Board completed its review of the first ROPS covering the period of February 1, 2012 through June 30, 2012. In its review, the Oversight Board determined that certain previously redevelopment-funded project costs did not meet the definition of an enforceable obligation and, therefore, denied approval of funding from the Redevelopment Property Tax Trust Fund (RPTTF) established by the County or from existing RDA

reserves held by the Successor Agency. As a result, the General Fund will need to fund approximately \$700,000 in disallowed project costs that were incurred for Fiscal Year 2012.

To cover these unanticipated costs in the General Fund, staff is recommending that the additional property tax revenues received in June 2012 from the RDA dissolution be used to fund these disallowed costs. In June 2012, the City received about \$874,000 in additional property tax revenues from the County representing the City's share of the property tax revenues previously allocated to the former RDA, excluding amounts paid to the City's Successor Agency for its enforceable obligations for the period of July 1, 2012 through December 31, 2012.

Staff will return at a future meeting with a more accurate accounting of disallowed project costs and recommend budget adjustments to estimated revenues and appropriations.

Future General Fund Impact

On June 27, 2012, the Legislature passed AB 1484. The measure requires that Successor Agencies make a first payment to the County by July 12, 2012. This payment will be based on property tax revenues received in December 2011 less the adopted ROPS for the period of February 1, 2012 through June 30, 2012. For the City of Santa Barbara, the County has determined that payment to be \$2.24 million. The funds will be deposited in the RPTTF and subsequently distributed to the taxing entities. Based on the City's proportionate share of property taxes, the General Fund should receive approximately \$300,000.

A second payment to the County will occur in April 2013. The payment will be for any remaining excess cash assets of the former RDA held by the Successor Agency. Based on current cash balances (excluding Housing and Bond Proceeds) the payment to the County will be about \$13.8 million. The amount will again be deposited in the RPTTF, and subsequently distributed to the taxing entities. The City's General Fund share of property taxes is estimated to be about \$1.7 million. After these funds are received by the City, staff will return to the City Council for direction on the appropriation of these funds to priority projects, some of which have been de-appropriated due to the dissolution of the RDA.

PREPARED BY: Ruby Carrillo, Accounting Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Final Design Of The Mason Street Bridge Replacement Project

RECOMMENDATION: That Council:

- A. Confirm that Kimberly Avenue shall remain a two-way street;
- B. Approve the proposed Mason Street Bridge Project width design and roadway geometry in accordance with City, State, and Federal standards, with design exceptions as approved by the City Engineer;
- C. Accept Federal Highway Administration Highway Bridge Program grant funding in the amount of \$5,106,236 for the Mason Street Bridge Replacement Project, and authorize the increase of estimated revenues and appropriations in the Fiscal Year 2013 Streets Capital Fund by \$5,106,236 for the Mason Street Bridge Replacement Project; and
- D. Authorize the Public Works Director to execute a City Professional Services contract with Bengal Engineering, Inc., in a form acceptable to the City Attorney, in the amount of \$550,340 for final design services for the Mason Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$55,034 for extra services of Bengal Engineering, Inc., that may result from necessary changes in the scope of work.

EXECUTIVE SUMMARY:

The Mason Street Bridge was constructed in 1955. The replacement of the bridge is an integral part of the Lower Mission Creek Flood Control Project (LMCFCP), which was approved by Council in 2001. The LMCFCP is a joint effort between the United States Army Corps of Engineers, Santa Barbara County Flood Control, and the City. The LMCFCP is intended to reduce flooding on the lower portions of Mission Creek, and spans approximately 1.3 miles of the Mission Creek channel, from Canon Perdido Street to Cabrillo Boulevard. This reach of the LMCFCP is subject to flooding that affects residents, businesses, and transportation facilities, including the nearby railroad station, resulting in significant damage to property and productivity.

As part of the City's preliminary design review process, the Mason Street Bridge Project (Project) was brought before several City advisory committees, who have had different opinions, including some that remain unresolved. A key discussion item is how to maximize vegetation between the widened Mission Creek and the proposed western alignment of Kimberly Avenue, while still meeting City design practices and policies. Some design recommendations affect the width of a portion of Kimberly Avenue, leaving it as a two-way street, or making it a one-way street. Staff is requesting direction from the Council to the advisory boards and commissions on the items identified in this report.

DISCUSSION:

PROJECT DESCRIPTION

In 2001, the Planning Commission (PC) certified the LMCFCP Environmental Impact Study/Environmental Impact Report (EIS/EIR), which was subsequently approved by Council. Currently, Mission Creek can handle only an 8-year storm event. After the LMCFCP improvements are completed, the capacity will be increased to convey a 20-year storm event (3,400 cubic feet per second). In addition to improving water conveyance, final channel improvements will enhance aquatic habitat and restore some of the native plant and tree species. This conceptual design included the replacement of the bridge and the realignment of Kimberly Avenue. In 2007, the LMCFCP received Coastal Development Permit (CDP) approval from the Planning Commission, followed by other regulatory permits for the City and County.

On January 26, 2010, Council authorized a contract with Bengal Engineering, Inc. (Bengal), for Preliminary Design services for the Project. The replacement of this structurally and hydrologically deficient bridge is primarily being funded by the Federal Highway Bridge Program (HBP). Federal HBP funds will reimburse the City 88.53 percent of the design, right of way, and construction costs. State toll credit funds will provide the local match for the right of way and construction phases, leaving the City to pay only 11.47 percent of the design costs, plus any ineligible expenses, such as Project staff time accrued before federal authorization to proceed with design was given.

The existing bridge is a simple span, concrete bridge about 36-feet long to match the existing channel being 35-feet wide. In order to accommodate the LMCFCP channel widening, the Project will involve removing and replacing the bridge to span the new LMCFCP's 55-foot channel width. In addition, the Project includes new retaining walls, bridge railing, sidewalk and street enhancements, street and utility realignments, sloped creek banks, landscaping, habitat expansion areas adjacent to the creek bed, and associated work. The Project is in the right of way acquisition phase and is now ready to move into final design. (See Attachment 1 for the Project location.)

The proposed Project design is in conformance with prior Council, PC, and California Coastal Commission approvals. Since these approvals, staff has worked with the Historic Landmarks Commission (HLC) and the Creeks Advisory Committee (CAC)

during Preliminary Design to add landscaping, add more sloped creek banks, and expanded habitat area. However, as part of this review process, staff has been directed by the HLC to include additional landscaping.

There are essentially two design features, which could allow more landscaping and sloped creek bank: either further narrow Kimberly Avenue, and/or further narrow the new bridge.

KIMBERLY AVENUE - ONE-WAY VERSUS TWO-WAY ISSUE

The proposed Project is designed with Kimberly Avenue remaining a two-way street. The LMCFCP EIS/EIR approved in 2001, and the CDP approved in 2007, reflected Kimberly Avenue as a two-way street. The Chapala Street Bridge Replacement Project is in close proximity to this Project, and it was recently approved by the PC and included Chapala and Yanonali Streets remaining as two-way streets.

The CAC recommended that Kimberly Avenue be revised to a one-way street to allow for additional sloped creek bank habitat expansion area. As a one-way street, the narrowest road width allowed by the Fire Department for a public roadway is 20 feet, curb-to-curb. The HLC has stated they strongly prefer a one-way street to allow the Project bridge to be narrowed. The Transportation and Circulation Committee (TCC) agreed with the staff recommendation to narrow Kimberly Avenue from its existing 31.8-foot curb-to-curb width to the proposed 26 feet curb-to-curb width and keep it a two-way street. The proposed Project design, includes an innovative bridge rail style (see Attachment 5), which allows the bridge width to be 43 feet, independent of Kimberly Avenue being either a one-way street or two-way street. The TCC found that converting Kimberly Avenue to a one-way street would not be in conformance with the Circulation Element of traffic circulation for the neighborhood. If the one-way alternative is to be pursued, staff anticipates this would result in a significant delay in updating the environmental documents, which will include determining if there is sufficient neighborhood support, and possibly jeopardize FHWA project grant funding due to the anticipated delay.

In an effort to meet the interests expressed by the Historic Landmarks Commission (HLC), the Creeks Advisory Commission (CAC), and the Transportation and Circulation Committee (TCC), the proposed design includes the addition of approximately 1,500 square feet of sloped creek bank habitat expansion area north of Mason Street, west of Kimberly Avenue. The approved EIS/EIR and CDP did not include vegetated sloped creek banks immediately north of Mason Street west of Kimberly Avenue.

Staff has contacted the property owners or their representatives for the properties fronting Kimberly Avenue and Yanonali Street between Kimberly Avenue and Chapala Street. Along this stretch, there are ten properties with eight property owners. All eight property owners or their representatives either prefer or support that Kimberly Avenue remain a two-way street, and the majority of them do not support it becoming a one-way street.

Staff requests Council confirm that Kimberly Avenue remain a two-way street.

BRIDGE DESIGN WIDTH

In order to maintain grant funding and achieve the Caltrans/FHWA engineering design approval, the Project's bridge roadway design must meet current standards and the current professional design "standard of care", and meet a minimum approvable bridge roadway width, in accordance with Caltrans, American Association of State Highway and Transportation Officials (AASHTO), and City criterion. The City does not have sufficient funds to build the \$11 million Project without federal grant funding.

The Historic Landmarks Commission (HLC), the Creeks Advisory Commission (CAC), and the Transportation and Circulation Committee (TCC), have all recommended that the bridge be designed to minimize the bridge's width and maximize adjacent vegetated creek bank slopes and habitat expansion areas, and to be consistent with the neighborhood residential setting. After initially expressing concerns, the HLC and the CAC have already acknowledged and approved the proposed bridge abutment location, which includes the removal and mitigation of a large Sycamore tree.

To accommodate the direction to minimize the Project's bridge width, staff has been able to reduce the bridge's design width from 60 feet to 43 feet. However, the HLC has requested a 30-foot wide rail-to-rail bridge. This direction cannot be met and still meet the federal bridge width minimum standards. The May 24, 2012, TCC staff report contains associated detailed design information and is included as Attachment 3. The excerpts of the minutes from the TCC's meeting of May 24, 2012, and the minutes from the HLC's June 6, 2012, meeting are included as Attachment 4.

Staff is proposing a bridge design width of 43 feet that includes an innovative bridge rail design, and a 28 feet curb-to-curb roadway width (see Attachment 5). The HLC has expressed their support of utilizing the innovative bridge rail. Caltrans has confirmed that the minimum bridge curb to curb roadway width that can meet state and federal standards is 30 feet. Though the proposed 28-foot bridge roadway width will reduce the bridge design width, it requires a design exception. Staff expects that the proposed bridge design exceptions will be approved by Caltrans/FHWA.

Staff and the TCC are recommending six-foot wide sidewalks on both sides of the bridge, in accordance with the Pedestrian Master Plan, and matching existing neighborhood sidewalks widths west of the bridge. The HLC and the CAC recommend five-foot wide sidewalks, which is the minimum width allowed by City Municipal Code. Staff will need to obtain design exceptions from Caltrans and the FHWA to include, a) the reduction of the pavement travel way from two 12-foot wide travel lanes to two 11-foot wide lanes, and b) a road approach transition width variance, because the roadways to and from the bridge are wider than the proposed bridge width. It is a federal design standard for the bridge width to conform with the roadway approach widths.

Staff requests that Council approve the recommended bridge width design of 43 feet, with design exceptions that can be approved by Caltrans and the FHWA and deemed necessary by the City Engineer. Staff also requests that Council direct the HLC to incorporate this design width in their design approval.

DESIGN PHASE CONSULTANT ENGINEERING SERVICES

With approval of the key design features of bridge width and Kimberly Avenue's alignment, staff can proceed with final design. On January 26, 2010, Council awarded Bengal Engineering Inc. (Bengal) the preliminary design contract. On April 4, 2012 the FHWA authorized additional grant funds for design. Staff negotiations with Bengal resulted in a fair and reasonable cost approvable by Caltrans in the amount of \$550,340 for final design, and expenditures of up to \$55,034 for extra services of Bengal that may result from necessary changes in the scope of work.

COMMUNITY OUTREACH

The Project went before the Historic Landmarks Commission on five occasions, before the Creeks Advisory Commission on three occasions, and before the Transportation and Circulation Committee once. The Project is required to return to the Historic Landmarks Commission for final design approval. All of the hearings have been, and will continue to be, publicly noticed.

The Project will include the full acquisition of three properties and partial acquisition of the following properties:

- 15 West Mason Street – Full acquisition for widening Mission Creek
- 16 West Mason Street – Partial acquisition for the realignment of Kimberly Avenue
- 20 West Mason Street – Full acquisition due to expected house damage during construction
- 135 Kimberly Avenue – Full acquisition for widening Mission Creek

All acquisitions are necessary to construct the proposed Project. All property owners have or will be contacted to negotiate property acquisition and relocation assistance, as appropriate. On May 22, 2012, Council approved the Professional Services contract for Project right of way acquisition and relocation assistance.

When the construction contract is awarded, notifications by mail, including fact sheets in both English and Spanish, will be sent out to owners and residents providing basic Project related information, including the dedicated Project phone number and website address. Pre-construction public meetings will be held to inform owners and residents of the construction timeline and review of the Project's details. Planned outreach methods during construction include Project road signs, City Television updates, local media press releases, and a ribbon cutting ceremony for the completed bridge.

FUNDING

The Federal Highway Bridge Program will pay 88.53 percent of eligible design, right-of-way, and construction costs. State toll credit funding sources provide the local match for the right-of-way and construction phases, with the City share of 11.47 percent for the design phase only.

The following summarizes all estimated total Project costs:

ESTIMATED TOTAL PROJECT COST

| Design | Federal Share | State* Share | City Share | Total Cost |
|--|--------------------|--------------------|------------------|---------------------|
| <i>Design Phase</i> | | | | |
| Preliminary Design (by contract with Bengal) | \$191,971 | \$0 | \$24,872 | \$216,843 |
| Final Design (this contract with Bengal) | \$535,938 | \$0 | \$69,436 | \$605,374 |
| Environmental Review and Permits | \$84,090 | \$0 | \$10,895 | \$94,985 |
| Survey | \$17,706 | \$0 | \$2,294 | \$20,000 |
| City Staff Project Management & Review | \$212,293 | \$0 | \$50,000 | \$262,293 |
| <i>Subtotal (Design)</i> | \$1,041,998 | \$0 | \$157,497 | \$1,199,495 |
| <i>Right of way Phase</i> | | | | |
| Property and Easement Acquisition and Relocation | \$4,363,800 | \$565,376 | \$25,000 | \$4,954,176 |
| <i>Subtotal (Right-of-way)</i> | \$4,363,800 | \$565,376 | \$25,000 | \$4,954,176 |
| <i>Construction Phase</i> | | | | |
| Construction | \$3,837,435 | \$497,180 | \$0 | \$4,334,615 |
| Construction Administration | \$500,535 | \$64,850 | \$50,000 | \$615,385 |
| <i>Subtotal (Construction)</i> | \$4,337,970 | \$562,030 | \$50,000 | \$4,950,000 |
| TOTAL PROJECT COST | \$9,743,768 | \$1,127,406 | \$232,497 | \$11,103,671 |

*State Toll Credit Funds

The recommended appropriation of \$5,106,236 in grant funds is required to match appropriations with the current FHWA approved authorization limit. The current grant funding (FHWA plus State Toll Credit) authorization limit is \$5,971,174. To date, only \$864,938 has been approved by Council. The appropriation consists of \$177,060 in grant funds to complete the design phase and \$4,929,176 in grant funds for the right of way phase. With the approval of the recommendation to increase revenue and

appropriations, there are sufficient funds in the Streets Fund to cover the City's share for the Project.

SUMMARY

The Project has significant site constraints and complex design parameters. The preliminary design review by City boards and commissions has revealed competing recommendations and comments. The design is intended to balance these competing issues. A common Project design theme has been to maximize vegetated sloped creek banks by either minimizing the bridge width, and in the case of the HLC and CAC recommendations, maximally narrow Kimberly Avenue. The TCC has supported the staff recommendation to keep Kimberly Avenue a two-way street, maintain state and federal approvable bridge design dimensions, extend a sidewalk along Kimberly Avenue, and add, to the maximum extent practical, creek side sloped vegetation.

Proposed Project Design

- Bridge width design of 43 feet
- Bridge roadway width of 28 feet curb-to-curb
- Bridge sidewalk width of 6 feet
- Reduced travel way from two 12-foot wide travel lanes to two 11-foot wide lanes
- Reduced roadway approach transition width
- Kimberly Avenue remains a two-way street

Staff requests that Council approve the proposed bridge design and roadway geometry, in accordance with City, State, and Federal standards, with the design exceptions, as approved by the City Engineer, and confirm that Kimberly Avenue remain a two-way street.

- ATTACHMENTS:**
1. Project Site Plan
 2. Proposed Bridge Design
 3. May 24, 2012, Transportation and Circulation Committee Staff Report
 4. Minutes excerpts from Transportation and Circulation Committee meeting of May 24, 2012 and Historic Landmarks Commission meeting of June 6, 2012
 5. Innovative Bridge Rail Designs

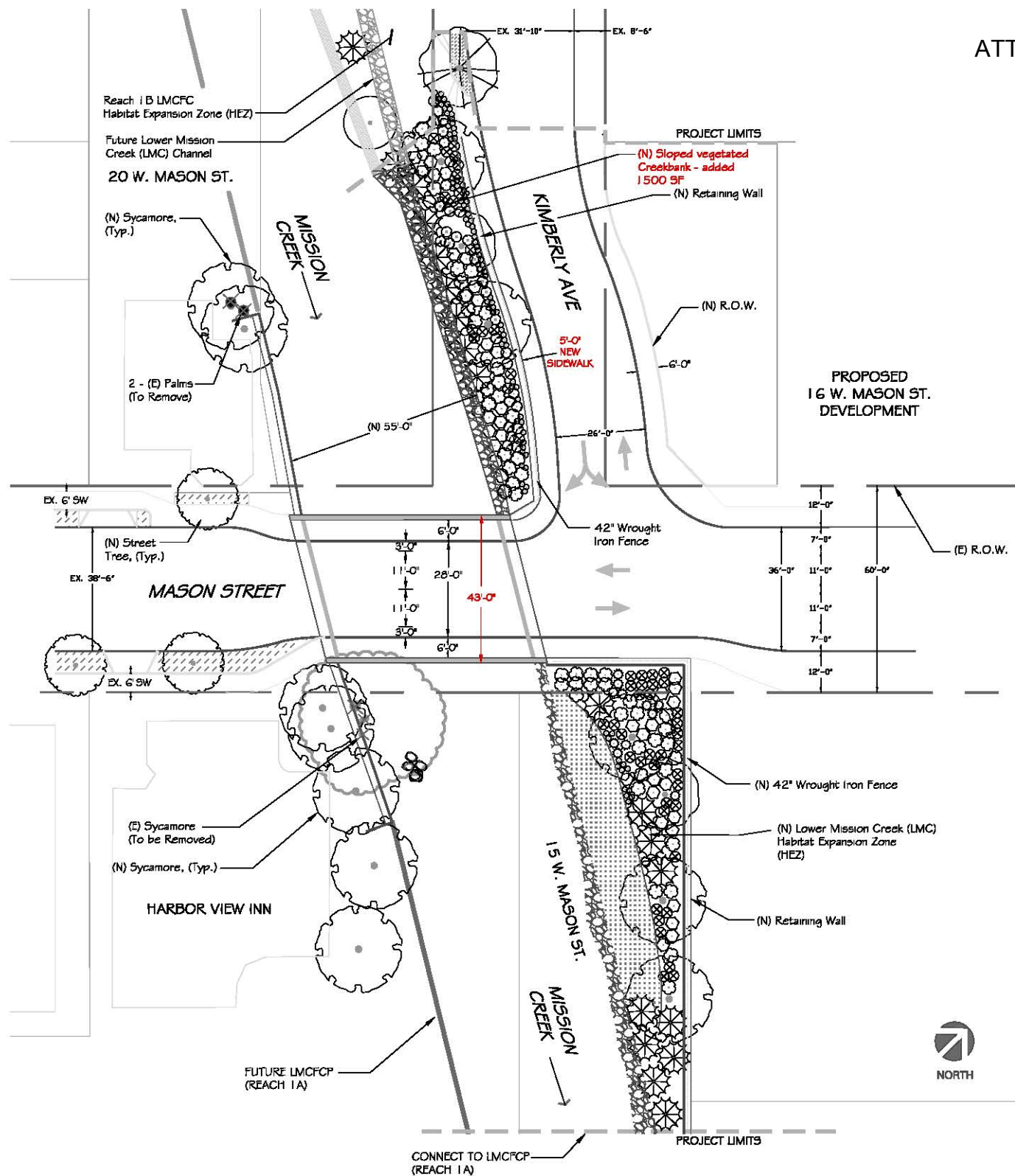
PREPARED BY: John Ewasiuk, Principal Engineer/sk

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

LOWER MISSION CREEK FLOOD CONTROL PROJECT








City of Santa Barbara Transportation & Circulation Committee *Staff Report*

DATE: May 24, 2012

TO: Transportation & Circulation Committee (TCC) Members

FROM:  John Ewasiuk, Principal Civil Engineer

SUBJECT: Mason Street Bridge Replacement Project

RECOMMENDATION

That the Transportation & Circulation Committee:

- A. Review the proposed Mason Street Bridge Replacement Project and comment on its consistency with the Pedestrian Master Plan and Circulation Element; and
- B. Provide comments and recommendations for Council to consider whether Kimberly Avenue traffic circulation should remain as a two-way street, or change it to a one-way street.

INTRODUCTION

The Mason Bridge Replacement Project (Project) involves replacing the structurally and hydrologically deficient bridge over Mission Creek. The Project is grant funded, and will increase the channel's capacity in accordance with the Council-approved Lower Mission Creek Flood Control Project (LMCFCP), the 2000 Environmental Impact Statement/Environmental Impact Report (EIS/EIR), and the 2008 Coastal Development Permit. In addition, the City used a California Environmental Quality Act (CEQA) Addendum to the EIS/EIR as the basis for an approval of the LMCFCP Coastal Development Permit. Caltrans prepared a National Environmental Policy Act (NEPA) Categorical Exemption for the federal environmental review for the new Mason Street Bridge.

The Project is in the preliminary design stage and has been before the Creeks Advisory Committee (CAC) and the Historic Landmarks Commission (HLC) where the Project's design recommendations were made. This report focuses mainly on the CAC and HLC comments related to transportation issues.

The primary Transportation & Circulation Committee (TCC) issues addressed in this report are 1) Project sidewalk issues, 2) bridge geometry, and 3) Kimberly Avenue pavement width and traffic circulation. While supported by policies within their purview, some of the bridge design recommendations from the CAC and HLC are in conflict with certain Circulation Element and Pedestrian Master Plan City policies. This report is intended to describe these conflicts, with respect to the competing City policies the CAC, HLC, and staff desire to follow. The report also includes potential solutions to meld competing policies in an attempt to balance the apparent conflicts between the various City policies. The TCC comments and recommendations will be

presented to Council, with a final Project scope recommendation, at the time the Project final design contract is recommended for award.

BACKGROUND

The City, with grant funding from the Federal Highway Administration, proposes to demolish the structurally and hydraulically deficient Mason Street Bridge over Mission Creek, and construct a new bridge at the same location. The bridge was rendered hydraulically obsolete due to Council's 2001 approval of the LMCFCP. The LMCFCP has been an effort between the U.S. Army Corps of Engineers, the Santa Barbara County Flood Control and Water Conservation District, and the City. At this time, federal funding for the LMCFCP appears unlikely, and the City and County are moving forward with incremental construction (individual bridges and segments of channel improvements), using various grant funds and local funding sources.

The LMCFCP is located along Mission Creek from Canon Perdido Street to Cabrillo Boulevard, a distance of about 1.3 miles. The LMCFCP will widen the creek channel to increase flood flow capacity in order to reduce flooding and property damage. Widening the channel will replace old concrete walls and non-native invasive plants will be replaced with native riparian species. Natural creek bed improvements will be made to enhance the endangered species habitat for the Southern California steelhead trout and the tidewater goby.

The bridge span will be lengthened to accommodate the proposed LMCFCP 20-year flood conveyance. The existing bridge span is about 36-feet and 33-feet in width. The new channel width and the new bridge span will be 55-feet. As approved in the LMCFCP's conceptual plan from the 2000 EIS/EIR, the bridge replacement will include the realignment of the south end of Kimberly Avenue at Mason Street to accommodate channel widening. (See Attachment 1)

The Project has been reviewed by the HLC on four occasions (Attachment 2 - HLC Minutes), and the HLC has yet to approve the Project's design. The transportation and circulation policy-related comments, that HLC expressed, revolve around bridge and sidewalk widths and vehicle/pedestrian circulation. The HLC continues to request the narrowest bridge width feasible so it is compatible with the surrounding neighborhood. In addition, the HLC recommended changing traffic circulation along Kimberly Avenue from a two-way street to a one-way street.

The Project also went before the CAC on three occasions (Attachment 3 - CAC Minutes). The CAC recommended expanding the Habitat Expansion Zones and expressed concerns regarding water quality. They also recommended narrowing the bridge width and minimizing sidewalk widths.

Some of the HLC and CAC recommendations are supported by neighborhood and creek preservation policies, but conflict with transportation and circulation related policies.

CURRENT ISSUES

1. Project Sidewalk Issues

No sidewalk currently exists for approximately 80 feet on the west side of Kimberly Avenue, north of Mason Street. Attachment 4 shows the existing sidewalk network in this neighborhood. HLC recommended not installing the "missing link" sidewalk in order to maximize the vegetated creek bank and minimize the height of the retaining wall west of Kimberly Avenue. However, this segment would be the only stretch of sidewalk missing for this block. Failure to install this "missing

link" does not appear to comply with the American with Disabilities Act, the Pedestrian Master Plan, or the Circulation Element policies, which state that "missing link" sidewalks be installed under these circumstances. The current design includes a new six-foot wide sidewalk at this location to match the existing sidewalk width immediately north of the "missing link".

The HLC and CAC also recommended minimizing the sidewalk width on the east side of Kimberly Avenue. The existing sidewalk on the east side of Kimberly Avenue is eight and a half-feet wide, with trees and tree wells. In response to these recommendations, the current design reflects a six-foot wide sidewalk with no tree wells. The result of the two and a half-foot reduction of sidewalk width is the widening of the vegetated creek bank west of Kimberly Avenue. This reduction will also result in a reduced height of the new retaining wall immediately west of the western Kimberly Avenue sidewalk.

The CAC and HLC also recommended reducing the sidewalk widths on the bridge to five feet, which is the minimum width required by the City's Municipal Code. For pedestrian circulation, staff recommends that the sidewalk on the bridge (both sides) be no less than six feet in accordance with the Pedestrian Master Plan, and to match the existing six-foot sidewalk widths on Mason Street immediately west of the bridge.

2. Bridge Geometry

This Project's design elements are complex and have competing needs. Staff efforts to date have focused on producing a balanced project to address those needs. The Project is also required to meet Caltrans's standards, American Association of State and Highway Officials' (AASHTO) standards and City of Santa Barbara Municipal Code and Engineering Design Standards. For example, the documents produced by Caltrans and AASHTO provide criterion for the following:

- Bridge Width
- Roadway Approach Width and Transition To and From the Bridge
- Road Shoulder Width
- Sidewalk Width
- Barrier Rail Width
- Sight Distance
- Deck Geometry Ratings
- Design Speed and Future Design Volumes

Based upon the above noted criteria there are three bridge width design scenarios ranging from 43-feet to 49.5-feet, or 28-feet to 32-feet curb to curb. Attachment 5 is the Bridge Design Exception Matrix that led the Public Works Department to the recommended design alternative being the 43 foot wide bridge, 28 feet wide curb to curb. (See Attachment 6) The proposed bridge roadway width is two feet less than the 30-foot minimum bridge width per Caltrans and AASHTO standards; however, staff is recommending Design Exceptions for this and any proposed deviations from the State and Federal standards.

Staff and the Project's Design Engineer, Bengal Engineering, acknowledge that the proposed bridge will not meet some of the Caltrans and federal design requirements. It is an AASHTO standard for the travel lane "travel way" to be 12-feet wide. Staff is recommending an 11-foot travel way for each side of Mason Street. Further, the existing and proposed Mason Street road approach widths are wider than the proposed bridge width. This transition will also require a Design Exception. The proposed bridge roadway width of 28 feet will require a transition from the

proposed 36-foot Mason Street road width east of the bridge, and the 38.5-foot Mason Street existing road width west of the bridge. Therefore, staff recommends no additional Design Exceptions. The more Design Exceptions requested, the higher the liability risk to the City in the event of an incident. These issues have been discussed with Caltrans who indicated their support of these proposed Design Exceptions.

The new bridge width is proposed to be 43-feet wide, or 28-feet wide curb to curb. The width of each bridge component is shown on Attachment 7. No parking will be allowed on the bridge. The existing bridge width is 33.4-feet, 24.4-feet curb to curb, and includes two 3.4-foot wide sidewalks.

Given the vehicular roadway needs, it is important to assess bicycle and pedestrian circulation needs. In October 2010, the average daily vehicle trips were 1,662 vehicles per day on Mason Street, west of Kimberly Avenue. Due to the low existing volumes and projected future volumes of approximately 2,000 vehicle trips per day, a separate bicycle lane on the bridge or on this roadway segment of Mason Street is not necessary. Bicyclists and vehicles can share the road, as the California Vehicle Code allows.

Staff is proposing to use a "See Through" bridge rail design to meet the ASSHTO sight distance requirement for vehicles traveling southbound on Kimberly Avenue and turning eastbound on Mason Street. If the "See Through" bridge rail is not a viable option, and if Kimberly Avenue remains a two-way street, the north side of the bridge would require an eight and a half-foot wide sidewalk and the roadway shoulder continue to be seven-feet wide along the entire north side of Mason Street as opposed to the minimum three-foot wide shoulder on the south side of the new bridge. (See Attachment 7).

3. Kimberly Avenue Pavement Width and Traffic Circulation

Kimberly Avenue is currently a two-way street and is proposed to remain as a two-way street with the approved LMCFCP EIS/EIR and this proposed Project. The approved LMCFCP included the realignment of the Kimberly Avenue and Mason Street intersection and new bridge location. The October 2010 average daily vehicle trips along Kimberly Avenue were 128 vehicles per day, which is very low. In 2011, staff evaluated changing Kimberly Avenue from a two-way to a one-way street to determine how it impacted the proposed Chapala/Yanonali Bridge Replacement Project (Chapala Bridge Project). Considerations at the time included whether the bridge could be narrowed to address water quality concerns related to homeless encampments and illegal activity (drug use) under the existing bridge. Subsequently, the Public Works, Community Development, and Parks and Recreation Departments then determined Kimberly Avenue shall remain a two-way street, in accordance with the Circulation Element policies, in order to preserve the design vehicle circulation options in the area. The Chapala Bridge Project is in final design and has City board and commission design and environmental approvals.

The CAC and HLC recommended that Kimberly Avenue be redesigned from a two-way street to a one-way street, which was anticipated to allow the Mason Street Bridge to be narrowed due to the elimination of an intersection sight distance requirement with the utilization of conventional bridge railings. The basis for this recommendation is to minimize the proposed new bridge width and allow for resulting enlarged vegetated creek bank slopes and minimized retaining wall heights between Kimberly Avenue and Mission Creek.

A proposed potential solution to the intersection sight distance issue is the use of a Caltrans "See Through" bridge rail style which will be thoroughly evaluated during the final design of the Project. The "See Through" bridge rail design is expected to allow the driver of a vehicle on Kimberly Avenue, going eastbound on Mason Street, to safely see an eastbound vehicle west of the Mason Street/Kimberly Avenue intersection. However, this style of bridge rail is new to the City design review boards and would require HLC approval. See Attachment 7 for the Sight Distance Criteria Comparison Chart and Attachment 8 for examples of "See Through" bridge rails. If the "See Through" bridge rail style is found viable and approvable, it will result in the narrowest bridge design width feasible.

Maintaining Kimberly Avenue as a two-way street and utilizing a "See Through" bridge rail results in the same new bridge width (43 feet, or 28 feet curb to curb) as obtained by modifying Kimberly Avenue to a one-way street and utilizing a conventional bridge railing (non-"See Through" bridge rail style). Maintaining Kimberly Avenue as a two-way street requires a throat width of 26 feet north of Mason Street for vehicular turning movements. A one-way street would be 20-feet wide from Mason Street to approximately 110 feet north of Mason Street. It then reverts to a 31.8-foot wide street for the remainder of the block. If Council directs Kimberly to be 20-feet wide one-way street, the 6-foot reduction of pavement width would be available for additional vegetated creek bank and would reduce new retaining wall heights west of Kimberly Avenue.

The proposed Project design is in accordance with the approved LMCFC EIS/EIR and does not include changing Kimberly Avenue from two-way to one-way as part of this Project. Changing the roadway circulation to one-way could be achieved; however, it is likely that it would become a separate project which would require Council approval via an ordinance amendment which would involve neighborhood outreach/support and additional CEQA review and neighborhood support/approval. This added process would result in significant delays estimated to be approximately one to two years, possibly jeopardizing the \$11 million in federal grant funds for this Project. The federal funding for this Project includes 100 percent funding for the right of way and construction phases of the Project. Staff recommends not risking the loss of this critical federal grant. Staff anticipates requesting Council's approval of the Project final design contract in August 2012. At that time, staff will seek Council's direction regarding the Kimberly Avenue circulation issue.

With respect to bicycle circulation, a separate bicycle lane along Kimberly is not required due to the low vehicle volumes on this street.

CONCLUSION

Staff strives to develop a project in conformance with prior Council, Planning Commission, and California Coastal Commission approvals while continuing to balance CAC, HLC and transportation goals and policies. There are many challenges and complexities of the environmental, programmatic, transportation/circulation, and economical realities and needs surrounding this Project. The proposed Project design must meet current standards and the current "standard of care" in order to be professionally certified. The proposed Project addresses these challenges. Further, the proposed Project meets the objectives of the LMCFCP. The Project also incorporates the minimum bridge roadway width approvable given Caltrans, AASHTO, and City criterion contingent upon approval by Caltrans and the FHWA for the Design Exceptions for bridge width, travel way, and roadway approach/transition widths.

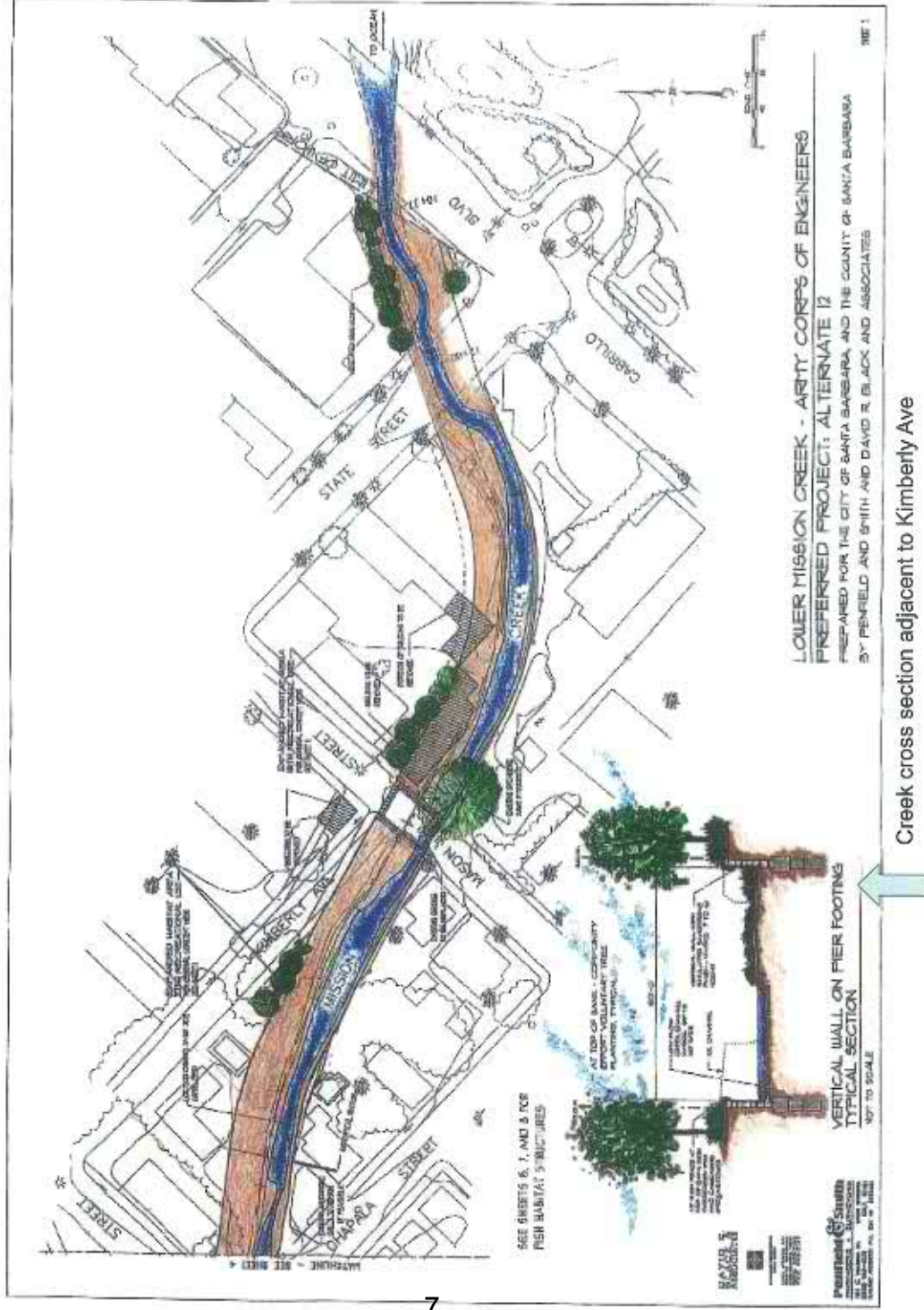
Staff requests that the TCC comment on 1) Project consistency with the Pedestrian Master Plan, specifically regarding the Kimberly Avenue "missing link" sidewalk issue, and sidewalk widths; 2) bridge geometry criteria including the proposed Design Exemptions; and 3) provide comments and recommendations for Council to consider whether traffic circulation on Kimberly Avenue should be a two-way or one-way street.

Attachments: 1. LMCFCP Concept Plan
2. HLC Minutes
3. CAC Minutes
4. Neighborhood Sidewalk Network
5. Bridge Design Exception Matrix
6. Proposed Bridge Layout
7. Sight Distance Criteria Comparison Chart
8. "See Through" Bridge Rail Examples

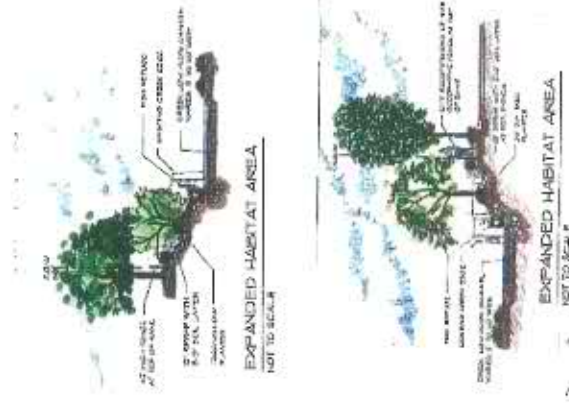
JWG/JE/ks

cc: Pat Kelly, City Engineer/Assistant Public Works Director
Browning Allen, Transportation Manager
Cameron Benson, Creeks Restoration/Clean Water Manager
John Ilasin, Project Engineer
Michael Berman, Project Planner
Historic Landmarks Commission
Creeks Advisory Committee

Lower Mission Creek Flood Control Project



Habitat Expansion Zone Concepts





HISTORIC LANDMARK COMMISSION CASE SUMMARY

MST2010-00261

NR-BRIDGE REPL 0 BLK W MASON ST 2096 SEG ID

Page: 1

Project Description:

Proposal to replace the structurally deficient Mason Street Bridge over Mission Creek and increase channel capacity in accordance with the approved 2001 Lower Mission Creek Flood Control Project Environmental Impact Report/Environmental Impact Statement. The existing bridge span is 35 feet and the new bridge span will be 55 feet; the existing road bed width is 36 feet and the new road bed width will be 60 feet.

Activities:

2/29/2012 HLC-Project Design Hearing

(Project Design Approval is requested. Requires compliance with City Council Resolution No. 01-137. Project was last reviewed on January 18, 2012.)

(Time 3:08)

Present: John Ewasiuk, Principal Engineer; and David Black, Landscape Architect

Public comment opened at 3:38 p.m.

Chair Suding acknowledged a memo from the Creeks Restoration and Water Quality Improvement Citizens Advisory Committee.

Lee Moldaver, City Creeks and Watersheds Advisory Committee, commented that research indicates the Mason Street Bridge could be as narrow as 28 or 30 feet; 2) supports moving the wall and sidewalk at Kimberly Avenue ten feet toward State St.; 3) suggested the wall at Kimberly Avenue be placed under the street edge for a partial slopping bank; 4) suggested abandoning the drain 100 feet further up from the bridge.

Mark A. Romasanta, representing Romasanta Family Trust, commented in support of the project.

Eddie Harris, Santa Barbara Creeks, commented on public expectation that the proposed changes should benefit the natural environment; in favor of further narrowing of Kimberly Avenue, minimize the proposed width of the bridge, replace the proposed vertical wall on upstream side near Kimberly Avenue with a sloped bank, and suggested providing native canopy trees for shade.

Activities:

Public comment closed at 3:49 p.m.

Motion: Continued indefinitely with the following comments/suggestions:

- 1. The Commission continues to request that the width of the bridge railing to railing be no wider than 30 feet to be consistent with the residential neighborhood setting.*
 - 2. Redesign of Kimberly Avenue as a one-way street is strongly preferred to allow for a reduction in bridge width.*
 - 3. Remove the sidewalk on the west side of Kimberly Avenue.*
 - 4. Minimize the sidewalk on the east side of Kimberly Avenue as the width seems excessive.*
 - 5. Shorten the drain line and replace the Sycamore tree to be removed.*
 - 6. Slope the surface of creek bank adjacent to Kimberly Avenue to the least maximum extent possible.*
 - 7. Stability of the slope, including sizes of boulders, continues to be considered as critical to the design.*
- Action: La Voie/Boucher, 8/0/1. Motion carried. (Shallanberger abstained.)*

1/18/2012

HLC-Project Design Approval

1/18/2012

HLC-Concept Review (Continued)

(Third Concept Review. Action may be taken if sufficient information is provided. Requires compliance with City Council Resolution No. 01-137. Project was last reviewed on December 7, 2011.)

(2:16)

Present: John Ewasiuk, Principal Engineer; and David Black, Landscape Architect

Public comment was opened at 3:12 p.m.

Mark Romasanta, representing Romasanta family trust: in support of the project and is happy to have trees placed on his property with utility details to be worked out; would prefer Kimberly Avenue to be not as wide but understands the reasoning.

Kellam de Forest: suggested that public access to the inevitable creek bank habitat be restricted; requested an arborist report.

Eddie Harris: in support of the additional trees and resulting shade; the project should include sloped banks and street realignment wherever possible.

Lee Ann French, representing the Creeks Advisory Committee: appreciates efforts to address loss of the Sycamore tree and is in favor of the expansion; continue narrowing where possible, and reinforce no parking on banks; suggested relocating the 54-foot storm drain upstream and removing the abandoned piping.

Public comment was closed at 3:25 p.m.

Activities:

Straw vote: How many Commissioners could support the westerly bridge alignment? 7/1.

Motion: Continued indefinitely with the following comments:

- 1. The Commission appreciates the research of the project as presented today.*
 - 2. The majority of the Commission supports the western bridge alignment.*
 - 3. Construction at the foot of the habitat-exposed zones should include Tidewater Goby.*
 - 4. Develop details for the underside of the bridge.*
 - 5. Provide significant size trees to provide shade as soon as possible.*
 - 6. The faux sandstone needs work, perhaps use existing sandstone.*
 - 7. A majority of the commission feel the proposed tree mitigation measures are acceptable.*
 - 8. Reduce the width of the bridge, 36 feet appears too wide. The bridge should be consistent with the residential neighborhood setting, investigate exceptions to federal standard.*
 - 9. Provide a plan showing the quantity of Sycamore trees proposed for removal.*
 - 10. There is support for the 1.5-foot wide rail as opposed to 2.5-foot rail.*
 - 11. Remove the abandoned storm-drain pipe.*
 - 12. Provide drawings showing "what the bridge will look like" including existing and proposed. It was suggested that an overlay of the proposed plan over an aerial view image be included.*
 - 13. On plans show the shade and shadows provided by the proposed trees.*
 - 14. Study adding a way for wild life to traverse north/south below the bridge and fencing.*
 - 15. Provide aerial photos showing the parking alignment of cars.*
 - 16. Bridge railing option A may be appropriate.*
 - 17. Study reducing width of sidewalks along north of Mason Street and east side of Kimberly Avenue.*
- Action: Shallenberger/Boucher, 7/1/0. Motion approved. (Drury opposed because he would like the Sycamore preserved. La Voie absent.)*

The Commission recessed at 3:45 p.m. and reconvened 4:00 p.m.

1/11/2012

HLC-Resubmittal Received

12/7/2011

HLC-Concept Review (Continued)

(Second Concept Review. Action may be taken if sufficient information is provided. Requires compliance with City Council Resolution No. 01-137. Project was last reviewed on November 9, 2011.)

(1:43)

Present: John Ewasiuk, City Principal Engineer; David Black, Landscape Architect; and Pat Kelly, City Assistant Public Works Director

Public comment opened at 1:59 p.m.

Lee Moldaver, Santa Barbara Creeks and Watersheds Advisory Committee: saving of sycamore tree,

Activities:

compatibility with unique nature of neighborhood, narrower bridge and expanse, and request for range of other options and scenarios.

Eddie Harris, Santa Barbara Urban Creeks Council: saving of sycamore tree, appropriate habitat, lack of slope banks, and narrower bridge.

Mark Romasanta, local business owner: spoke in favor of the project.

Public comment closed at 2:11 p.m.

Motion: Continued to the January 4, 2012, meeting with the following comments:

- 1. The sloped banks are essential to the success of this project.*
- 2. Continue to study reduction of the sidewalk width.*
- 3. Provide a plan showing Kinherly Avenue as a one-way street with a reduced throat.*
- 4. Show Sycamores on the west side of Mission Creek in close proximity to the existing Sycamore.*
- 5. Although some Commissioners felt that the project is a good balance, the majority found that a further effort towards balance needs to be made, bringing the bridge closer to neighborhood compatibility.*
- 6. Provide plan showing a minimized (side-to-side) width of the bridge. Shrinking the width of the bridge should be done so as to protect the Sycamore tree. If the Sycamore tree is ultimately proposed to be removed, mitigation measures shall be clearly shown on the plans.*
- 7. Appropriately significant sized trees shall be proposed.*
- 8. Return with studies of proposed material and color for the bridge railings and abutments; earth tones were suggested.*

Action: Orías/Drury, 8/0/0. Motion carried.

*** THE COMMISSION RECESSED FROM 2:39 P.M. TO 2:46 P.M. **

12/2/2011

HLC-Resubmittal Received

3 sets of plans, memo for distribution, and additional photos rec'd for HLC FB, already scheduled for 12-7-11 by SGG.

11/9/2011

HLC-Concept Review (New)

(Action may be taken if sufficient information is provided. Requires compliance with City Council Resolution No. 01-137.)

(2:44)

Present: Don Spagnolo, Public Works Project Manager; John Ewasiuk, Public Works Engineer; and David Black, Landscape Architect

Michael Berman provided background comments and remained available to respond to questions.

Public comment was opened at 2:58 p.m.

Activities:

Mark Romasanta: addressed road width concerns, sidewalks, turning radius, and the "taking" of public property.

Eddie Harris: addressed concerns about health and productivity of the Creek; potential EIR requirement for removal of the historic Sycamore tree; suggested narrowing the sidewalks.

Chris Casebeer, opposed, deferred his speaking time to Ms. French.

Le Anne French, Creeks Advisory Committee: addressed concerns with tree preservation, suggested narrowing the bridge, and consideration of the type of railing used.

Virginia Hunter: concerned about the order of construction projects, and possible flooding if the Cabrillo Bridge is not addressed first.

Mary Louise Days: expressed concern about removal of the Sycamore trees and questioned whether a historic structures report had been prepared. Mr. Berman responded that several reports have been prepared.

Public comment was closed at 3:11 p.m.

Motion: Continued four weeks with the following comments:

- 1) The Sycamore tree is to be preserved in situ.*
- 2) The bridge width is to be narrowed to the extent possible.*
- 3) Slope the banks of the creek to the maximum extent possible.*

Action: La Voie/Boucher, 6/0/0. Motion carried. (Shallanberger abstained. Drury absent)

Note: 1) Staff agreed to inform homeowners on this block when they are no longer found within the flood plain. 2) The road should be reduced to one-way and narrowed to enable a tree to be saved.

****THE COMMISSION RECESSED AT 3:30 P.M. AND RECONVENED AT 3:33 P.M. ****

11/2/2011

HLC-FYI/Research

Approved by City Council under the Lower Mission Creek Flood Control Project, CC Resolution No. 01-137.

10/25/2011

HLC-Mailed Notice Prepared

For 11/9/11 HLC Full Board hearing. Description provided by John Ewusiak and reviewed by Michael Berman.

10/25/2011

HLC-Resubmittal Received

initial design review submittal

Activities:**9/15/2010****HLC-Archaeology Report**

(Review of Archaeological Survey Report prepared by Ann Munns of Applied EarthWorks, Inc.)

(2:06)

Present: Michael Berman, City Environmental Analyst

Staff comments: Susan Gantz, Planning Technician, stated that Dr. Glasgow reviewed the report and concluded that the archaeological investigation supports the report's conclusions and recommendations that the potential for encountering prehistoric archaeological resources during construction is considered low, and the standard condition regarding the discovery of unanticipated archeological resources applies and shall be on the construction plans prior to issuance of a building permit.

Motion: To accept the report as submitted.

Action: Boucher/Suding, 6/0/0. Motion carried.

9/15/2010**HLC-Historic Structures Report**

(Review of Historical Resources Evaluation Report prepared by Applied Earthworks, Inc. The HREER recommends that the structure at 15 W. Mason Street, former garage for the Californian Hotel, be removed from the Designated Historic Resources list as a Structure of Merit. The Mason Street bridge was found to not qualify as a historic resource.)

(2:07)

Present: Michael Berman, City Environmental Analyst

Staff comments: Michael Berman, Environmental Analyst, stated that Staff has read the report, found it to be acceptable and recommend acceptance of the report.

Public comment opened at 2:10 p.m.

Kellam de Forest, local resident, commented on the need to have the structure formally documented.

Public comment closed at 2:11 p.m.

Motion: To accept the report as submitted with the comment that the letter from Mary Louise Days dated December 15, 1987, be included

Action: Boucher/Suding, 6/0/0. (Naylor/Pujo/Sharpe absent.) Motion carried.

9/15/2010**HLC-Hist. Struc. Rpt Accepted**

Historical Resources Evaluation Report (HREER) dated August 2010, prepared by Aubrie Morlet, Architectural Historian, Applied EarthWorks, Inc. was accepted - along with memorandum dated August

Activities:

24, 2010, from M. Colleen Hamilton, Senior Arch. Historian/Hist. Archaeologist, Applied EarthWorks, Inc. A letter dated December 15, 1987, from Mary Louise Days, is to be included in the acceptance of the HRER.

9/15/2010

HLC-Archaeology Rpt Accepted

Archaeology Survey Report dated August 2010, prepared by Ann Munns and Leeann Haslouer, Applied EarthWorks, Inc. was accepted as presented - along with memorandum dated August 24, 2010, from Ann Muns.

That the Committee review and approve the 2012 Regular Meeting Schedule.

Documents:

2012 Regular Meeting Schedule

Speakers:

Cameron Benson, Creeks Restoration/Clean Water Manager

Committee Questions/Discussion:

Motion:

Committee members Moldaver/Lohmus to approve the 2012 Regular Meeting Schedule.

Vote:

Voice Vote 6/0

b. Mason Street Bridge Replacement Project Liason Report

Recommendation:

That the Committee receive a report and discuss the Mason Street Bridge Replacement Project.

Speakers:

Cameron Benson, Creeks Restoration/ Clean Water Manager, Lee Moldaver, Committee Liason

Committee Questions/Discussion:

Committee Members asked questions regarding the slope of the creek bank in the habitat expansion zone of the project, whether any restoration will occur on the West side of the creek, how the existing Sycamore tree can be saved, how the project will affect adjacent homeowners, whether sidewalks will be installed on the west side of Kimberly St, whether the bridge rail will be solid or contain open spaces, relocating the existing abandoned storm drain pipe to increase sloped bank on the east side of the creek, upstream of the bridge, whether the rocks in the habitat expansion zone will be submerged or exposed, preserving the feel of the neighborhood, whether Kimberly Street can be made one-way; and, eliminating parking on the bridge to minimize the width.

Mr. Macintosh left at 6:40

Mr Ewasiuk reported that research is being done on options for preserving the Sycamore tree, that talks are taking place with private property owners on the west side of the creek to have trees planted, that Kimberly street will need to have a fixed width whether it is one-way or two-ways, that the current plans include a sidewalk on the west side of Kimberly; and, that options for railings will be presented to the HLC in January.

Mr Benson reported that the proposed Habitat Expansion Zone design provides for two different habitat areas, and also discourages public from using it as an entry/exit to the creek; and, that the current structure on the west side of the upstream side of the bridge will be protected in place.

Motion:

Committee member Moldaver/Lohmus to summarize recommendations and forward to the Historic Landmarks Commission for their January 18th meeting.

Vote:

Voice vote 5/0

c. Water Quality Research Program Update and Modifications

Recommendation:

That the Committee receive an update on the Water Quality Research and Monitoring Program and concur with the staff recommendation to modify the research plan for Fiscal Year 2012.

Speakers:

Jill Murray, Water Quality Research Coordinator

Motion:

Committee members De Smeth/Weber to approve the modifications to the FY12 Water Quality Research and Monitoring Plan.

Vote:

Voice Vote 5/0

ADJOURNMENT

Motion:

Committee members Bullock/Moldaver to adjourn.

Mr. Bullock adjourned the meeting at 7:25 p.m.

Respectfully submitted,



Cameron Benson
Creeks Restoration/Clean Water Manager

Mr. Thomson reported that drainage pools are routinely checked for mosquito larvae and gambusia (mosquito fish) and biological controls are used in the pools help to control potential mosquito issues, no comprehensive monitoring has been done of the downstream ecosystem however before the project all water ended up in the creek within minutes, not much sediment has accumulated but access points were designed into the project to allow for future excavations if necessary, that gambusia were not introduced by the Creeks Division as part of the project but were rather discovered in the pools during research, that currently a 2 inch storm is 100% contained in the pools and that as winter progresses and the basins fill up it will determine the volume that flows into the creek; and, that although there is a working relationship with the Showgrounds and they have taken some measures to improve their runoff the current focus of the Creeks Division has been on the other side of Highway 101.

c. Mason Street Bridge Replacement Project Liaison Report

Recommendation:

That the Committee receive a report and discuss the Mason Street Bridge Replacement Project.

Speakers:

LeeAnne French and Lee Moldaver, Advisory Committee Liaisons

Committee Questions/Discussion:

Committee members asked questions regarding the benefit of removing the abandoned pipeline, the size of the trees required in mitigation, the replacement ratio if the affected Sycamore was removed; and, the spacing of the openings and the height of the bridge railings.

Mr. Benson reported that if the outfall of the storm drain is moved and the pipeline removed there is opportunity for more sloped banks on the upstream side of the bridge, that 15 gallon sized trees were recommended by the landscape architect with the possibility of propagating saplings from the existing Sycamore, that the size of the openings in the railings is approximately 4 inches and the height is approximately 4 feet.

Mr. Moldaver left at 6:54

ADJOURNMENT

Motion:

Committee members Bullock/DeSmeth to adjourn.
Mr. Bullock adjourned the meeting at 7:12 p.m.

Respectfully submitted,

Cameron Benson
Creeks Restoration/Clean Water Manager



**CITY OF SANTA BARBARA
CREEKS RESTORATION/WATER QUALITY IMPROVEMENT
CITIZENS ADVISORY COMMITTEE MINUTES**

SPECIAL MEETING

March 14, 2012

David Gebhard Meeting Room, 630 Garden St.

CALL TO ORDER

Chair Paul Bullock called the meeting to order at 5:36 p.m.

ROLL CALL

Committee members present: Paul Bullock, Betsy Weber, Natasha Lohmus, LeeAnne French, Stephen Macintosh

Committee members absent: Lee Moldaver, Danielle De Smeth, Annie Marroquin

Liaison members present: Council Liaison Frank Hotchkiss

Liaison members absent: Planning Commissioner Michael Jordan, Parks and Recreation Commissioner Chris Casebeer

Staff present: Creeks Restoration/Clean Water Manager Cameron Benson, Creeks Administrative Specialist Jen Hollywood, Creeks Planner George Thomson, Assistant Parks & Recreation Manager Jill Zachary

APPROVAL OF MINUTES

Motion:

Committee Members French/Lohmus to approve the minutes of the regular meeting of January 18, 2012.

Vote:

Voice vote 4/0

AGENDA ADJUSTMENTS

PUBLIC COMMENT

No one wished to speak.

Mr. MacIntosh arrived 5:40

COMMITTEE MEMBER AND STAFF COMMUNICATIONS

7. BUSINESS ITEMS

- a. **Mason Street Bridge Replacement Project Liaison Report**
Recommendation:

That the Committee receive a report discuss the Mason Street Bridge Replacement Project.

Speakers:

LeeAnne French, Committee Liaison

Public Comment:

No one wished to speak.

Committee Questions/Discussion:

Committee members requested a presentation from Planning Staff regarding the longterm goals of the area surrounding the bridge project to better understand the decisions being made regarding bridge size.

b. Andree Clark Bird Refuge Vegetation Maintenance and Restoration Project Funding

Recommendation:

That the Committee receive a presentation on the Parks Division's Andree Clark Bird Refuge Vegetation Maintenance and Restoration Project and provide a recommendation to City Council regarding whether Measure B is an appropriate source of funding for the project.

Speakers:

Jill Zachary, Assistant Parks & Recreation Director

Public Comment:

No one wished to speak

Committee Questions/Discussion:

Committee members discussed reasons why they felt the project did not fall under the Funding Guidelines for Measure B including: the project not qualifying as a "restoration" of the area, the project not improving water quality in the City, whether the project would be funded by any other municipality without a Measure B program as vector or flood control, this type of project has always been funded by the general fund in the past, that Measure B funds are not to be used for regulatory compliance to permitting agencies; and, that the planting portion of the project is required mitigation for the wetland plant removal.

Motion:

Committee members Weber/Lohmus to recommend to Council that the project is not an appropriate use of Measure B Funds.

c. Status Update – Mission Creek Fish Passage at the Caltrans Channels

NEIGHBORHOOD SIDEWALK NETWORK



Mason Street Bridge Replacement Project

BRIDGE DESIGN EXCEPTION MATRIX

| Design Criteria | | | | | Comments | Item(s) Requiring Design Exception ² |
|----------------------|--|---|---|--|---|---|
| | [1] 30' Minimum Roadway Width Met per AASHTO and Caltrans? ¹ | [2] 12' Traveled Way Width Met per Caltrans? | [3] Kimberly Avenue Sight Distance Met per AASHTO? | [4] Bridge Roadway Width Equals Roadway Approach Width per AASHTO and Caltrans? | Summary of Issues | |
| Bridge Roadway Width | | | | | | |
| 28' | No | No | Yes if "See-Through Bridge Rail" is feasible | No | Proposed bridge roadway width < 30' minimum required roadway width to meet AASHTO standards. 11' TW < 12' minimum TW. Bridge roadway width < 36' roadway approach width at EO. Bridge roadway width < 38.5' roadway approach width at WO. | [1], [2], [4] |
| 30' | Yes | No | Yes if "See-Through Bridge Rail" is feasible | No | 11' TW < 12' minimum TW. Bridge roadway width < 36' roadway approach width at EO. Bridge roadway width < 38.5' roadway approach width at WO. | [2], [4] |
| 32' | Yes | No | Yes | No | 11' TW < 12' minimum TW. North bridge rail must be located 26.5' from Mason St. centerline for sight distance. Bridge roadway width < 36' roadway approach width at EO. Bridge roadway width < 38.5' roadway approach width at WO. | [2], [4] |

Abbreviations:

| | | | |
|----------|--|----|----------------|
| AASHTO | American Association of State Highway and Transportation Officials | EO | East of Bridge |
| Caltrans | California Department of Transportation | TW | Traveled Way |
| | | WO | West of Bridge |

Notes:

- The 30' minimum roadway width is comprised of 12' travel ways and 3' shoulders.
- The purpose of the design exception process is to create a written record that documents the engineering decisions leading to the approval of each exception from a design standard. Source: Chapter 21, "Exceptions to Design Standards," Project Development Procedures Manual, California Department of Transportation.





CITY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CIVIL ENGINEERING
DESIGN
CHECKED
DRAWN
DATE
PROJECT NAME
MASON ST BRIDGE

| NO. | DATE | DESCRIPTION |
|-----|---------|-----------------|
| 1 | 10/1/10 | DESIGN |
| 2 | 10/1/10 | CHECKED |
| 3 | 10/1/10 | DRAWN |
| 4 | 10/1/10 | DATE |
| 5 | 10/1/10 | PROJECT NAME |
| 6 | 10/1/10 | MASON ST BRIDGE |

ALTERNATIVE PROJECT

MASON ST BRIDGE

| | | | |
|------|------|------|------|
| XXXX | XXXX | XXXX | XXXX |
| XXXX | XXXX | XXXX | XXXX |
| XXXX | XXXX | XXXX | XXXX |
| XXXX | XXXX | XXXX | XXXX |



2 of 3



| |
|------------------|
| XXXX |
| DATE P.A. |
| XXXX XX |
| M.W. G.C. D.D. |
| C-1-XXXX |
| DATE P.A. |
| X X = X |



Mason Street Bridge Replacement Project

SIGHT DISTANCE CRITERIA COMPARISON CHART

| Proposed Geometry: | Kimberly Avenue- 2-WAY TRAFFIC with Sight Distance Criteria | Kimberly Avenue- 1-WAY TRAFFIC (NB from Mason Street) without Sight Distance Criteria | Kimberly Avenue- 2-WAY TRAFFIC (NB from Mason Street) with Sight Distance Criteria and using See-Through Bridge Rail |
|------------------------------------|--|--|---|
| [1] Traveled Way Width (WB/EB) | 32' Mason Street Bridge 11'11" * | 28' Mason Street Bridge 11'11" * | 28' Mason Street Bridge 11'11" * |
| [2] Shoulder Width (WB/EB) | 7'3" | 3'3" | 3'3" |
| [3] Bridge Roadway Width ([1]+[2]) | 32' | 28' * | 28' * |
| [4] Sidewalk Width (NS/SS) | 8.5'6" | 8'6" | 8'6" |
| [5] Barrier Rail Width (NS/SS) | 1.5'1.5' | 1.5'1.5' | 1.5'1.5' |
| [6] Total Bridge Width | 48.5' | 43' | 43' |

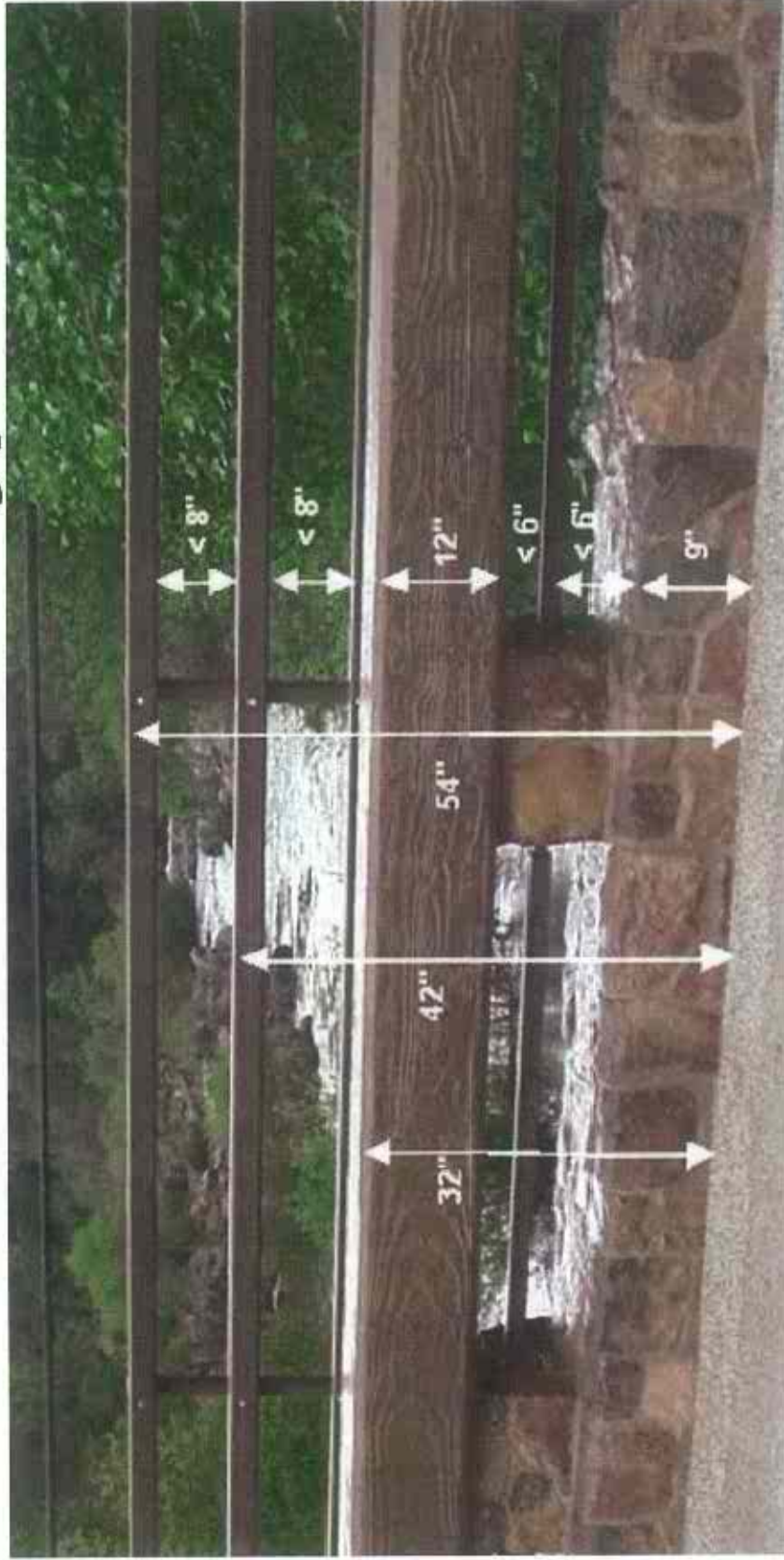
Abbreviations:
 EB Eastbound Travel
 NB Northbound Travel
 NS North Side of Bridge
 SS South Side of Bridge
 WB Westbound Travel
 * Requires Design Exception

California ST-70 Bridge Rail



- **Description:** See through 4-bar curb-mounted steel bridge rail
- **Test Level:** TL-4
- **Bridge Standard Detail Sheets:** see website
- **Height:** 46.5" above bridge deck (40.5" steel rail plus 6" curb)
- **Comments:** Rail is similar to California ST-20S Bridge rail except that the top 7.5" high handrail has been removed. This rail is 4.5" higher than the minimum required Bicycle Rail or Pedestrian Rail height of 42".

Concrete Barrier Type 80



- Photo of Concrete Barrier Type 80 - Modified with Architectural Treatment and with Bicycle Rail Offset 15" from Rail Face.

DRAFT



MEETING MINUTES EXCERPT

EXCERPTS

CITY OF SANTA BARBARA

TRANSPORTATION AND CIRCULATION COMMITTEE (TCC)

David Gebhard Public Meeting Room
630 Garden Street, Santa Barbara, CA
Thursday, May 24, 2012, 6:00 PM

CALL TO ORDER: Chair Blackerby called the meeting to order at 6:03 PM

ROLL CALL:

TCC MEMBERS

Hillary Blackerby
Mark Bradley
Keith Coffman-Grey
Edward France
Susan Horne
David Tabor

Attendance

Present
Present
Present
Present
Present
Present

CITY STAFF PRESENT :

Browning Allen, Transportation Manager
Malinda Reese, Project Engineer, derrick, john e
Kim Thaler-Strange, Administrative Specialist
Derrick Bailey, Supervising Traffic Engineer
John Ewasiuk, Principal Civil Engineer

LIAISONS PRESENT

Cathy Murillo, Council Liaison
Deborah Schwartz, Planning Commission Liaison

OTHERS PRESENT

Sherrie Fisher, MTD

6:00

CHANGES TO THE AGENDA: None.

PUBLIC COMMENT:

1. Chair Blackerby called the meeting to order at 6:01

Public Comment:

CONSENT CALENDAR:

2. Approval of Minutes from the April 26, 2012 meeting where a TCC quorum was present.

Motion: Approve the Minutes from the April 26, 2012, meeting.

Motion made to approve the minutes by, Keith Coffman-Grey; seconded by Susan Horne

Ayes: 5 Noes: Abstain 1 Absent:

REPORTS

5. Mason Street Bridge Replacement Project

John Ewasiuk, Principal Civil Engineer, presented a report on the Mason Street Bridge Project and asked the TCC to comment on its consistency with the Circulation Element and Pedestrian Master Plan, and provide recommendations to Council on whether Kimberly Avenue (Kimberly) should remain as a two-way street, or change to a one-way street.

Mr. Ewasiuk described the location and the issues surrounding the project, and how it fits in with other City projects.

Public Comment:

Lee Moldaver, member of the Creeks Advisory Committee (CAC), representing the special ad-hoc subcommittee of the CAC, indicated that the CAC wanted Kimberly to be one-way with the narrowest possible bridge.

Ms. Blackerby summarized a letter received from Children's Museum (Museum) that said that they would prefer Kimberly to remain two-way. Another letter, written by a neighbor requested that parking on Kimberly not be slanted or angled, and expressed concern about a loss of revenue to businesses that have Chapala Street (Chapala) addresses.

Ms. Kay expressed concern about the loss of parking to residents and businesses in that area and that the neighborhood was not informed about any of these changes.

TCC Comments

Ms. Blackerby asked staff to clarify whether or not parking would be removed whether or not Kimberly stayed as a two-way street or became a one-way street, and asked that if the issue of the sidewalk, had been brought before the Access Advisory Committee. Mr. Ewasiuk indicated that the proposed project includes the two-way configuration for Kimberly, and that if the project is not done this way, the City will be in violation of the Americans with Disabilities Act (ADA). Mr. Allen added that per the ADA, the minimum sidewalk width is five to six feet, and that the Pedestrian Master Plan (PMP) calls for a six-foot sidewalk.

The Committee's main concerns were with the sidewalk width and parking loss. They all agreed that

the sidewalk had to be there, but had differences of opinion as to how wide the sidewalk would be. They also expressed interest in the see-through railing, and thought that if staff could get that style of railing approved, it would give some wiggle room for the sidewalk width. The Committee also agreed that community outreach to this neighborhood was critical. They supported keeping Kimberly as a two-way street. The main debate during discussion was on the sidewalk width. The majority of the Committee was concerned with keeping within the guidelines of the PMP. Staff suggested a motion that would help staff get in alignment with the HLC and CAC desires, but that this is ultimately Council's call.

Staff asked for a unified direction regarding Kimberly, and indicated that the design engineer will do what the City requests. Staff also said that if Council wants Kimberly to be changed to a one-way street, they would pursue a separate project.

The following motions were made and passed:

Motion: That the Committee recommend five foot sidewalks on the creek side of Kimberly, six foot sidewalks on the State Street side, and six foot sidewalks on both sides of Mason.

Motion made by Ed France; seconded by Keith Coffman-Grey

Ayes: 5 Noes: 1 Abstain Absent:

Noes: Bradley.

Motion: That the Committee recommends keeping Kimberly the way it is in the proposal, through staff recommendations, as a two-way street.

Motion made by Keith Coffman-Grey; seconded by Hillary Blackerby

Ayes: 5 Noes: Abstain: 1 Absent:

Blackerby adjourned the meeting at 9:10



City of Santa Barbara

Planning Division

HISTORIC LANDMARKS COMMISSION MINUTES

Wednesday, June 6, 2012

David Gebhard Public Meeting Room: 630 Garden Street

1:30 P.M.

COMMISSION MEMBERS:

PHILIP SUDING, *Chair* – Present
DONALD SHARPE, *Vice-Chair* – Present
LOUISE BOUCHER – Present
MICHAEL DRURY – Present
WILLIAM LA VOIE – Present
FERMINA MURRAY – Present
JUDY ORÍAS – Present
CRAIG SHALLANBERGER – Absent
BARRY WINICK – Present

ADVISORY MEMBER:

DR. MICHAEL GLASSOW – Absent

CITY COUNCIL LIAISON:

DALE FRANCISCO – Absent

PLANNING COMMISSION LIAISON:

STELLA LARSON – Absent

STAFF:

JAIME LIMÓN, Design Review Supervisor – Present at 1:33 p.m. to 1:44 p.m.
MICHAEL BERMAN, Project Planner/Environmental Analyst – Present until 2:52 p.m.
SUSAN GANTZ, Planning Technician – Present
GABRIELA FELICIANO, Commission Secretary – Present

Website: www.SantaBarbaraCa.gov

An archived video copy of this regular meeting of the Single Family Design Board is viewable on computers with high speed internet access on the City website at www.santabarbaraca.gov/hlc and then clicking on the *Meeting Videos* tab.

CALL TO ORDER.

The Full Board meeting was called to order at 1:30 p.m. by Chair Suding.

ATTENDANCE:

Members present: Boucher, Drury, La Voie, Murray, Orías, Sharpe, Suding and Winick.

Members absent: Shallanberger.

Staff present: Limón, Berman, Gantz, and Feliciano.

GENERAL BUSINESS:

A. Public Comment:

None.

B. Approval of the minutes of the Historic Landmarks Commission meeting of May 23, 2012.

Motion: Approval of the minutes of the Historic Landmarks Commission meeting of May 23, 2012, with correction.

Action: La Voie/Sharpe, 6/0/2. Motion carried. (Murray/Orías abstained. Shallanberger absent.)

C. Consent Calendar.

Motion: Ratify the Consent Calendar as reviewed by Philip Suding.

Action: Boucher/Winick, 8/0/0. Motion carried. (Shallanberger absent.)

D. Announcements, requests by applicants for continuances and withdrawals, future agenda items, and appeals.

1. Ms. Gantz made the following announcements:

- a) Chair Suding would be stepping down from Item 1 at 902 Chapala Street and Commissioner Shallanberger would be absent from today's meeting.
 - b) The projects to repaint the buildings at 718, 716, 714, 712 State and 15 E. Ortega Streets, which were continued two weeks to today's meeting, have been indefinitely postponed at the owner's request.
 - c) The first Historic Landmarks Commission meeting in July will take place on Tuesday the 3rd due to the legal holiday on the 4th.
2. Mr. Limón announced that Nicole Hernández has been hired as the new City Urban Historian. She will begin June 18, 2012.
 3. Commissioners Drury and Murray announced they would not be attending the June 20, 2012, HLC meeting.

E. Subcommittee Reports.

No subcommittee reports.

**** THE COMMISSION RECESSED FROM 1:37 P.M. UNTIL 1:44 P.M. ****

CONCEPT REVIEW - NEW1. **902 CHAPALA ST**

C-2 Zone

(1:45)

Assessor's Parcel Number: 039-321-019

Application Number: MST2012-00217

Owner: Cynthia D. Howard Gift Trust

Architect: Cearnal Andrulaitis Architecture

(Proposal to reconfigure an existing parking lot including repaving approximately 400 square feet and restriping 22 parking spaces. Also proposed is new parking lot landscaping and the relocation of a trash enclosure. A waiver of 5'-0" wide planters along the north and east perimeters is requested. This parcel is located in the 100% parking Zone of Benefit. Building facade changes were approved under separate application MST2012-00149. A parking waiver is requested.)

(Action may be taken if sufficient information is provided.)

Actual time: 1:44

Present: Brian Cearnal, Architect
Philip Suding, Landscape Architect

Public comment opened at 1:49 p.m. and, with no one wishing to speak, was closed.

Motion: Project Design and Final Approvals with the comment that the applicant should consider a change in the pebbles selection.

Action: Orías/Drury, 7/0/0. Motion carried. (Suding stepped down. Shallenberger absent.)

There is a ten-day appeal period.

**** THE COMMISSION RECESSED FROM 1:59 P.M. TO 2:04 P.M. ****

PROJECT DESIGN REVIEW

2. 0 BLK W MASON ST

(2:15) Assessor's Parcel Number: ROW-002-096
Application Number: MST2010-00261
Owner: City of Santa Barbara
Applicant: Thomas Conti

(Proposal to replace the structurally deficient Mason Street Bridge over Mission Creek and increase channel capacity in accordance with the approved 2001 Lower Mission Creek Flood Control Project Environmental Impact Report/Environmental Impact Statement. The existing bridge span is 35 feet and the new bridge span will be 55 feet; the existing road bed width is 36 feet and the new road bed width will be 60 feet.)

(Project Design Approval is requested. Requires compliance with City Council Resolution No. 01-137. Project was last reviewed on February 29, 2012.)

Actual time: 2:04

Present: John Ewasiuk, City Principal Engineer

Staff comments: Michael Berman stated that the project has been revised and the project description should have read: "The existing bridge span is 35 feet and the new bridge span will be 55 feet; the existing bridge road bed width is 24.4 feet and the new road bed width will be 28 feet. The existing total bridge width is 33.4 feet and the proposed bridge total width would be 43 feet."

Public comment opened at 2:28 p.m.

Lee Moldaver, Creeks Advisory Committee, spoke in support of the project and commented on Kimberly Avenue made into a one-way street towards the freeway.

Mark Romasanta, adjacent property owner, spoke in support of the project.

Eddie Harris, Santa Barbara Urban Creeks Council, spoke in support of the project and commented on careful exploration of alternatives, shading for quality habitat, and making Kimberly Avenue into a one-way street.

Public comment closed at 2:34 p.m.

Motion: Continued two weeks with the following comments:

1. Extend the landscaping towards the corner of Kimberly and Mason Streets.
2. Size the boulders correctly in preparation for storm events.
3. Study the terminus of the bridge rails making them substantial.
4. Study guardrail treatment to make the proposed material look like wood.
5. The Commission is in support of an open rail bridge design; but what is being proposed is not acceptable and should conform to El Pueblo Viejo Guidelines.
6. The bridge should be made as narrow as possible so that it is consistent with the residential neighborhood setting.

Action: Boucher/Drury, 8/0/0. Motion carried. (Shallanberger absent.)

CONCEPT REVIEW - CONTINUED

3. 1936 STATE ST

C-2 Zone

(2:45)

Assessor's Parcel Number: 025-372-001
Application Number: MST2011-00167
Owner: Mobil Oil Corporation
Applicant: Cadence Development
Agent: Lucy Dinneen
Architect: Kirk Gradin

(Proposal to construct a new 3,450 square foot, 33 foot tall, one-story, non-residential building on a 22,466 square foot lot. A new parking lot behind the building will provide 18 parking spaces, one space more than required. Grading outside of the building footprint will be balanced on site at 120 cubic yards. Development Plan Approval findings are required by the Historic Landmarks Commission to allow the development of 2,449 square feet of new non-residential floor area. The site has retained an 851 square foot demolition credit.)

(Fourth Concept Review. Comments only: Project requires Environmental Assessment and Development Plan Approval findings. Project was last reviewed on May 9, 2012.)

Actual time: 2:52

Present: Kirk Gradin, Architect
Kelly Brodison, City Assistant Planner

Public comment opened at 3:04 p.m.

Fred Sweeney, Upper East Association, expressed concern with large parking exposed to State Street and appropriate architectural solution.

Lisa Burns, Upper East Association, expressed concern with generation of high traffic and compatibility with residential neighborhood.

Innovative Bridge Rail





CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: City Attorney's Office

SUBJECT: Conference With Legal Counsel - Anticipated Litigation

RECOMMENDATION:

That Council hold a closed session to consider significant exposure to litigation (two potential cases) pursuant to subsection (b)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

SCHEDULING:

Duration, 30 minutes; anytime

REPORT:

None anticipated

SUBMITTED BY: Stephen P. Wiley, City Attorney

APPROVED BY: City Administrator's Office



Agenda Item No. _____

File Code No. 330.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 17, 2012

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Conference With Real Property Negotiators – 701 E. Haley Street

RECOMMENDATION:

That Council hold a closed session pursuant to the authority of Government Code Section 54956.8 in order to provide direction to the City Administrator and to the City Attorney regarding the possible lease of real property owned by the City commonly known as 701 E. Haley Street.

Property: 701 E. Haley Street (Primo Boxing – Youth Sports Center)

City Negotiators: Nancy Rapp, Scott Vincent.

Negotiating Party: Primo Boxing – Joe and Jean Pommier

Under Negotiation: Rent and terms of lease.

SCHEDULING: Duration, 20 minutes; anytime

REPORT: None anticipated

SUBMITTED BY: Stephen P. Wiley, City Attorney

APPROVED BY: City Administrator's Office